LIBRARY OF THE
UNIVERSITY OF ILLINOIS
AT URBANA-CHAMPAIGN

262.9
P92t
copy 3

ILLINOIS HISTORICAL SURVEY

THE TRIAL

OF THE

Rev. David Swing,

BEFORE THE

PRESBYTERY OF CHICAGO.

EDITED BY

A Committee of the Presbytery.

"*Resolved*, That a Committee be appointed for the purpose of supervising the publication of "a correct history of the trial of Rev. David Swing, before this Presbytery, and that said committee "consist of Revs. David S. Johnson, Francis L. Patton and George C. Noyes."

Resolution passed May 20, 1874.

CHICAGO:
JANSEN, McCLURG & CO.
1874.

Entered according to Act of Congress in the year 1874, by

JANSEN, McCLURG & CO.,

In the Office of the Librarian of Congress, at Washington

Staats-Zeitung Job Printing Co.,
PRINTERS,
Washington Street & 5th Avenue.

DEMENT, GRAY, RITCHIE & CO.,
Official Stenographers,
Bryan Block, LaSalle & Monroe Sts.

262.4
P92t
Cop. 3

CONTENTS.

	PAGE.
Organization of the Presbytery,	3
Prof. Patton's Introduction of Charges and Specifications,	4
Majority Report of Committee on Charges and Specifications,	5
Minority Report of Committee on Charges and Specifications,	7
Charges and Specifications,	8
Protest of Prof. Patton and Others against Reference of Charges,	14
Report of Committee on Protest of Prof. Patton and Others,	15
Prof. Swing's Plea to Charges and Specifications,	16
Affidavit of Prof. Patton in Relation to Continuance of Trial,	20
Affidavit of Daniel L. Shorey, Esq.,	21
Testimony of N. S. Bouton, Esq.,	22
Protest against Recording Questions of Rev. Dr. Swazey,	23
Affidavit of Prof. Swing,	23
Stipulation between Prosecutor and Counsel for Accused,	23
Testimony of Rev. Wm. C. Young,	24
Testimony of Rev. C. L. Thompson,	24
Testimony of Rev. Dr. R. W. Patterson,	26
Testimony of Rev. J. H. Trowbridge,	29
Testimony of Rev. Dr. Arthur Swazey,	29
Testimony of W. C. Goudy, Esq.,	31
Testimony of H. G. Miller, Esq.,	34
Testimony of Geo. A. Shufeldt, Esq.,	36
Report of Committee on Protest of Prof. Patton,	42
Testimony of Horace F. Waite, Esq.,	42
Motion of Prof. Patton in relation to Mr. Waite's Testimony,	50
Testimony of Oliver H. Lee, Esq.,	50
Testimony of Henry W. King, Esq.,	54
Protest against Entertaining the Charges and Specifications,	59
Testimony of H. A. Hurlbut, Esq.,	60
Letter from Prof. Swing to Rev. Dr. Junkin,	64
Report of Committee in relation to Continuance of Trial,	65
Report of Committee in relation to Mr. Waite's Testimony,	66
Argument of the Prosecutor,	67
Argument of the Prosecutor, (Continued),	88
Argument of the Prosecutor, (Concluded),	113
Argument of the Counsel for the Defendant,	133

PAGE.

ARGUMENT OF THE DEFENDANT, - - - - - - - - - - - 138
ARGUMENT OF THE COUNSEL FOR THE DEFENDANT, (CONTINUED), - - 147
ARGUMENT OF THE COUNSEL FOR THE DEFENDANT, (CONCLUDED), - - 154
CLOSING ARGUMENT OF THE PROSECUTOR, - - - - - - - - 173
OPINION OF REV. DR. R. W. PATTERSON, - - - - - - - - 187
OPINION OF REV. DR. L. J. HALSEY, - - - - - - - - - 204
OPINION OF REV. DR. ARTHUR SWAZEY, - - - - - - - - 220
OPINION OF REV. WM. C. YOUNG, - - - - - - - - - - 226
OPINION OF REV. A. H. DEAN, - - - - - - - - - - 227
OPINION OF REV. J. M. FARIS, - - - - - - - - - - 228
OPINION OF REV. DR. W. M. BLACKBURN, - - - - - - - - 228
OPINION OF REV. NEWTON BARRETT, - - - - - - - - - 233
OPINION OF REV. WALTER FORSYTH, - - - - - - - - - 234
OPINION OF REV. W. F. WOOD, - - - - - - - - - - 235
OPINION OF REV. E. R. DAVIS, - - - - - - - - - - 236
OPINION OF REV. DR. E. L. HURD, - - - - - - - - - - 236
OPINION OF REV. W. F. BROWN, - - - - - - - - - - 238
OPINION OF REV. J. B. MCCLURE, - - - - - - - - - - 238
OPINION OF REV. J. H. TAYLOR, - - - - - - - - - - 239
OPINION OF REV. BEN. E. S. ELY, - - - - - - - - - - 241
OPINION OF REV. ARTHUR MITCHELL, - - - - - - - - - 244
OPINION OF REV. J. H. TROWBRIDGE, - - - - - - - - - 245
OPINION OF REV. J. H. WALKER, - - - - - - - - - - 247
OPINION OF REV. J. T. MATTHEWS, - - - - - - - - - - 249
OPINION OF REV. C. L. THOMPSON, - - - - - - - - - 250
OPINION OF REV. ABBOTT E. KITTREDGE, - - - - - - - - 254
OPINION OF REV. GLEN WOOD, - - - - - - - - - - 256
OPINION OF REV. L. H. REID, - - - - - - - - - - 258
OPINION OF REV. DR. JACOB POST, - - - - - - - - - 259
OPINION OF REV. CHRISTIAN WISNER, - - - - - - - - - 260
OPINION OF REV. D. J. BURRELL, - - - - - - - - - 261
OPINION OF REV. WM. BROBSTON, - - - - - - - - - - 262
OPINION OF ELDER JAMES OTIS, - - - - - - - - - - 263
OPINION OF ELDER J. M. HORTON, - - - - - - - - - - 264
OPINION OF ELDER O. H. LEE, - - - - - - - - - - 265
OPINION OF ELDER J. EDWARDS FAY, - - - - - - - - - 266
OPINION OF ELDER FRANCIS A. RIDDLE, - - - - - - - - 267
OPINION OF ELDER S. B. WILLIAMS, - - - - - - - - - 270
OPINION OF ELDER D. R. HOLT, - - - - - - - - - - 271
OPINION OF ELDER R. E. BARBER, - - - - - - - - - - 271
OPINION OF REV. WM. BEECHER, - - - - - - - - - - 275
OPINION OF REV. DR. A. D. EDDY, - - - - - - - - - - 276
VERDICT OF THE COURT, - - - - - - - - - - - - 278
REASONS OF THE COURT FOR THE JUDGMENT, - - - - - - - 279
PROF. SWING'S LETTER TO THE PRESBYTERY, - - - - - - - 283
PROF. PATTON'S REASONS FOR APPEAL TO THE SYNOD, - - - - - 284

THE TRIAL

— OF —

REV. DAVID SWING.

The Presbytery of Chicago met in the Chapel of the Third Presbyterian Church, Chicago, Ill., on the 13th day of April, A. D. 1874, at 10:30 o'clock a. m., and was constituted with prayer by the Rev. Charles L. Thompson, the last Moderator present.

The election of officers resulted as follows:

REV. ARTHUR MITCHELL, *Moderator.*
REV. E. W. BARRETT, } *Temporary Clerks.*
REV. W. F. BROWN, }

MEMBERS PRESENT.

MINISTERS.

ROBERT W. PATTERSON, D. D.
LEROY J. HALSEY, D. D.
ARTHUR SWAZEY, D. D.
FRANCIS L. PATTON, D. D.
WILLIAM C. YOUNG.
J. V. DOWNS.
AMOS H. DEAN.
J. M. FARIS.
WILLIAM M. BLACKBURN, D. D.
NEWTON BARRETT.
GEORGE C. NOYES.
WALTER FORSYTH.
WILBUR F. WOOD.
JOHN COVERT.
EDWIN R. DAVIS.
EDWIN L. HURD, D. D.
W. F. BROWN.
EDWARD SCOFIELD.
J. B. MCCLURE.
J. MUNROE GIBSON.
JAMES H. TAYLOR.
J. H. BURNS.
BEN. E. S. ELY.

ARTHUR MITCHELL.
JAMES H. TROWBRIDGE.
JOHN H. WALKER.
M. M. WAKEMAN.
JAMES MCLEOD.
WILLIAM R. DOWNS.
JAMES T. MATTHEWS.
P. L. CARDEN.
CHARLES L. THOMPSON.
CHRISTIAN WISNER
DAVID J. BURRELL.
ABBOTT E. KITTREDGE.
GLEN WOOD.
LEWIS H. REID.
JACOB POST, D. D.
EDWARD H. CURTIS.
DAVID SWING.
DAVID S. JOHNSON.
WILLIAM BROESTON.
JAMES HARRISON.
ROBERT K. WHARTON.
EDWARD N. BARRETT.

COMMISSIONERS FROM THE CHURCHES.

JAMES OTIS.....First Church, Chicago.
JOHN S. GOULD.....Second " "
J. M. HORTON.....Third " "
OLIVER H. LEE.....Fourth " "
ELIJAH SMITH.....Fifth " "
J. EDWARDS FAY.....Eighth " "
TUTTHILL KING.....Jefferson Ave. Church, Chicago.
GEORGE H. FROST.....Grace " "
FRANCIS A. RIDDLE.....Ashland Ave. " "
J. D. WALLACE.....Westminster " "
A. H. MERRILL.....Reunion " "
MARTIN LEWIS.....Fullerton Ave. " "
GEORGE H. LEONARD.....Ninth " "
A. L. WINNE.....Evanston First "
HASSAN A. HOPKINS.....Hyde Park First Church.
S. B. WILLIAMS.....Highland Park First Church.
D. R. HOLT.....Lake Forest " "
C. A. SPRING.....Manteno " "
J. CALDWELL.....Homewood " "
R. E. BARBER.....Joliet Central Church.
J. H. HURLBURD.....Maywood First "
ANDREW DRYSDALE.....Englewood First Church.
W. H. Dunton.....Dunton " "
W. P. CATON.....Joliet " "
WILLIAM HART.....Wilmington " "
HENRY WARDEN.....Peotone " "

CORRESPONDING MEMBERS.

ANSEL D. EDDY, D. D., from the Presbytery of Troy.
WILLIAM BEECHER, from the Congregational Association, Chicago.

Inter alia.

Professor Francis L. Patton presented the following communication:

CHICAGO, April 13th, 1874.

TO THE REVEREND The Presbytery of Chicago, in session in the Third Presbyterian Church, in the City of Chicago:

DEAR BRETHREN:

In the month of August, 1873, I published in the *Interior* an editorial review of Professor Swing's sermon on "Old Testament Inspirations." It was written in the spirit of kindness, with no thought of controversy, and with no idea that it would lead to a judicial inquiry. To the discussion between Professor Swing and myself I need not refer, except to say that it was the occasion of a careful examination of his theological views as they appear in his writings. I have adverted to some of these views, as you are aware, in the columns of the *Interior*. Indeed, fidelity to the Church of which I am a minister required me to do so. It would have given me great pleasure, as I know it would have been a great satisfaction to many others of his ministerial brethren, had this discussion resulted in a vindication of Professor Swing from any imputation of heresy, and in showing that he is a sincere believer in the doctrinal system of that Church in which he has been so honored and loved. And since this is not the case it would have been more in accord with my feelings if some older member of the Presbytery could have assumed the responsibility of bringing the erroneous views of Professor Swing to your notice. Circumstances, however, have combined to impose this painful task on me. Permit me, therefore, to call your attention to the accompanying charges, with their specifications, which I ask leave to prosecute at your bar.

Praying that the Great Head of the Church may guide us in the solemn duties

which will devolve upon us as a Court of Jesus Christ,

I am, very sincerely yours,
in the bonds of the Gospel,

(Signed,) FRANCIS L. PATTON.

Professor Patton then read the charges and specifications, which were placed in the hands of the Judicial Committee, consisting of Rev. R. W. Patterson, D.D., Rev. B. E. S. Ely, and Elder R. E. Barber, to report at a subsequent meeting.

[NOTE.—The charges and specifications as amended by the report of the Judicial Committee and by Professor Patton will be found on page 8.—EDS.]

Adjourned with prayer, to meet in the Chapel of the Second Presbyterian Church, Chicago, on Monday, April 20th inst., at 10½ o'clock A. M.

At the adjourned meeting of the Presbytery, held on April 20th inst., in the Chapel of the Second Presbyterian Church; *Inter alia.* The Judicial Committee to whom were referred the charges and specifications against Rev. David Swing, presented the following reports which were accepted.

MAJORITY REPORT.

The Judicial Committee, to whom was referred the paper containing the charges and specifications of Professor F. L. Patton, against Rev. David Swing, report as follows:

First: It appears to the Committee that the grounds of trial would be greatly simplified, and at the same time all the points named by the prosecutor would sufficiently receive the attention of the Presbytery by transferring to charge II. all those specifications under charge I. which pertain more immediately to the alleged unsoundness in the faith of the accused, and which, to say the least, bear upon the first charge only in proportion as they go to sustain the second. We therefore recommend that only specifications 1st, 2nd, 3rd, 4th, 5th, 6th, 8th, 16th, and 17th be retained under charge first; and that specifications 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, and 25th, under charge first, be considered only under charge second; also, that specifications 1st, 2nd, 3rd, and 4th, under charge second be retained, and that the paragraph pertaining to the reliance of the prosecutor upon the specifications under charge first for the support of charge second be stricken out, it being understood that the prosecutor may elect under which charge any specification shall be alleged.

Second: Several of the specifications of the prosecutor do not seem to be sufficiently definite and explicit.

In Book of Discipline, Chap. IV., Sec. 5, it is said:

"In order to render an offense proper for the cognizance of a judicatory on this ground (the ground of common rumor), the rumor must specify some particular sin or sins."

In Book of Discipline, Chap. IV., Sec. 8, we find the following rule:

"In exhibiting charges, the times, places, and circumstances should, if possible, be ascertained and stated, that the accused may have an opportunity to prove an *alibi*, or to extenuate or alleviate his offense." Also in New Digest, page 194, we find the following decisions:

A. "The Synod orders that all their judicatures shall, for the future, be particularly careful not to receive or judge of any charges but such as shall be seasonably reduced to a specialty in the complaint laid before them." Minutes 1770, page 406.

B. "There was a great deficiency in the charges preferred against Mr. Craighead, as it relates to precision. All charges for heresy should be as definite as possible. The article or articles of faith impugned should be specified, and the words supposed to be heretical shown to be in repugnance to these articles, whether the reference is made directly to the scripture as a standard of orthodoxy, or to the Confession of Faith, which our Church holds to be a summary of the doctrines of Scripture." Minutes 1824, page 121.

The principles involved in both these decisions seem to the Committee to be applicable in relation to the charges, with their specifications, in the present case. We therefore recommend that the charges be returned to the prosecutor, for amendment, as follows:

Specification 1, under charge first, to be amended by striking out the words "and other doctrines;" also the words "and other sermons," and by naming the particular sermons and passages in which the words or phrases complained of occur.

Specification 2, under charge first, to be amended by striking out the words "and other doctrines," and by stating more specifically the grounds on which the preaching

of the accused has been claimed to be Unitarian, and by whom such claim has been made.

Specification 4, charge first, to be amended by striking out the words "and other sermons;" also the words "other articles of the Confession of Faith," and by naming the particular sermons and passages in which the words or expressions referred to may be found.

Specification 5, charge first, to be amended by references to particular discourses, or by some other explicit definition of its meaning and scope.

Specification 7, charge first, to be amended by striking out the words "as well as in other sermons," and by reference to the particular passages of the Confession of Faith which are supposed to be impugned by the passages complained of.

Specification 9, charge first, to be amended by a reference to the particular article or passages in our Confession of Faith which the teachings specified are supposed to contravene.

Specification 10, charge first, to be amended by a reference to the article or articles of our Confession supposed to be impugned.

Specification 11, charge first, to be amended by striking out the words "and in other sermons," and by a reference to the articles of the Confession believed to be contravened.

Specification 12, charge first, to be amended by producing the language referred to, and quoting the portions of the confession supposed to be impugned.

Specification 14, charge first, to be amended by stating the expression used, and by a reference to the article of the confession supposed to be impugned.

Specification 15, charge first, to be amended by a reference to the article in the confession supposed to be impugned.

Specification 16, charge first, to be amended by striking out the words "and in other sermons."

Specification 17, charge first, to be amended by reference to the sermons and passages in which the uses of words complained of occur.

Specification 18, charge first, to be amended by striking out the words, "and in other sermons," and by naming the article in the confession supposed to be contravened.

Specification 19, charge first, to be amended by naming the article or articles of the Confession of Faith supposed to be contravened.

Specification 20, charge first, to be amended by striking out the words, "and in other sermons," and by a reference to the articles of the Confession alleged to be impugned.

Specification 21, charge first, to be amended by naming the portions of the Confession supposed be impugned.

Specification 22, charge first, to be amended by referring to the particular sermons and passages had in view.

Specification 23, charge first, to be amended by reference to the articles in the Confession supposed to be impugned.

Specification 24 to be amended by naming the articles of the Confession alleged to be contravened.

Specification 25 to be amended by naming the persons referred to.

Specification 1 under charge second, to be amended by stating as nearly as possible, time, place and circumstances.

In specification 2, charge second, the sources of proof should be referred to.

Specification 3, charge second, to be amended by defining the three doctrines referred to.

Specification 4, charge second, to be amended by stating in terms the point of the specification.

Third: Rev. David Swing is named as a witness to sustain the allegations against himself, under charge second. But the Presbytery could scarcely, with propriety, cite him as a witness in this cause, unless he should freely volunteer his testimony. We suggest, therefore, that this name be stricken out

Fourth: The committee recommend that when the charges and specifications shall be made sufficiently definite, the trial proceed in the following order:

1. Warning to the prosecutor. Book of Disciplines, chap. 5, sec 7.

2. The accused to be furnished with a copy of each charge, and the specifications under it, and with the names of the witnesses to support it.

3. All parties concerned, with their witnesses, to be cited to appear at an adjourned meeting, not less than ten days after the charges are entertained, unless the parties agree to proceed with the trial at an earlier day.

4. The trial shall proceed at the meeting appointed for this purpose, unless for good cause the case be continued by the Presbytery.

5. Before proceeding with the trial the Moderator shall charge the judicatory according to rule 36 in our Rules for Judicatories.

6. The charges to be read to the accused.

7. Answer of the accused.

8. Examination of witnesses to proceed according to sec. 8, chap. 6, Book of Discipline.

9. Comment upon the testimony, first, by the accused, second, by the accused and his counsel, and third, closing summary by the accused, it being provided that any new matter introduced in the closing speech of the accused may be replied to by the accused or his counsel.

10. Opinion of the members of the judicatory on the several charges and specifications, and finding of the judicatory, first, on the several specifications under each charge, and then upon the charge itself.

11. Judgment of the judicatory.

12. Judgment of the judicatory, if any, on the manner of conducting the prosecution.

All of which is respectfully submitted.

(Signed.) R. W. Patterson,
R. E. Barber.

MINORITY REPORT.

The undersigned, a minority of the Judicial Committee, reports: That he dissents from so much of the majority report as relates to a transfer of certain specifications therein mentioned from charge first to charge second, and also from the recommendation to strike out the words "The specifications contained under and in support of charge first are relied on as contained under and in support of charge second," for the following reasons:

(1.) It is the right of the Prosecutor to arrange his pleadings and determine what specifications he will rely upon in support of the several charges, leaving it for Presbytery to determine whether such specifications, if supported by the evidence, sustain such charges or not.

(2.) Because the same specifications, if pertinent, may be used in support of either or both of the charges. It is undoubtedly true that the same facts may be alleged in support of separate and distinct indictments, as, for illustration, where an officer is charged with malfeasance in office, and also for perjury in an official oath. In the case under consideration, charge first alleges unfaithfulness in the discharge of the ministerial office. Charge second alleges that the accused does not receive and accept the Confession of Faith, which in accordance with the order and discipline of the Presbyterian Church, he is by virtue of his ordination vows and office bound to receive and accept. The same *allegata*, therefore, which if proved would sustain the first charge, would also sustain the second.

(3.) The undersigned is of the opinion that by virtue of the rule under which the Judicial Committee is appointed, they are not empowered to place themselves in the attitude of pleading or demurring to the complaint, but that this is the right of the accused, who may for his own protection and defense, when the charges and specifications are placed in his hands, either demur or answer as he may elect, subject to the decision of the Presbytery.

The undersigned is further of the opinion, that the interests of all the parties to the proceeding, will be best promoted by a fair trial of the case upon its merits, he therefore recommends, that the Prosecutor be allowed to amend the specifications so that they shall be more definite, where the words "and other sermons," etc., are used, and that the case proceed in the order recommended by the committee.

The undersigned also objects to so much of said report as refers to the distinction between public and private offenses, and does not think that the case under consideration comes under the rule referred to.

Respectfully submitted,

(Signed.) Ben E. S. Ely.

After discussion, both reports were recommitted. The Committee subsequently presented the majority report with paragraph first stricken out.

Pending the adoption of the report, the charges and specifications were referred to Professor Patton, at his request, for further emendation.

Adjourned, with prayer, to meet on Tuesday, 21st, at 10:30 o'clock a. m.

Tuesday Morning, 10:30 o'clock a. m.

The Presbytery met and was constituted with prayer.

Inter alia:

At the request of Prof. Swing, and with the approval of the Presbytery, Rev. George C. Noyes was chosen as counsel for the accused.

Prof. Patton presented an amended copy of the charges and specifications, which was referred again to the Judicial Committee. The amendments made by him were accepted, and with some verbal alterations were embraced in their report, which was then adopted.

The charges and specifications thus amended are as follows:

CHARGE FIRST.

Rev. David Swing being a minister of the Presbyterian Church in the United States of America, and a member of the Presbytery of Chicago, has not been zealous and faithful in maintaining the truths of the gospel; and has not been faithful and diligent in the exercise of the public duties of his office as such minister.

SPECIFICATION FIRST.

He is in the habit of using equivocal language in respect to fundamental doctrines, to the manifest injury of his reputation as a Christian minister, and to the injury of the cause of Christ; that is to say, in sundry sermons printed in the *Chicago Pulpit*, and in sundry other sermons printed in the *Alliance* newspaper, and also in sundry other sermons printed in a volume entitled "Truths for To-day," said sermons all purporting to have been preached by him, the references to one or more of the following doctrines, to wit: the person of our Lord, regeneration, salvation by Christ, eternal punishment, the personality of the Spirit, the Trinity, and the fall of man; are expressed in vague and ambiguous language; that said references admit easily of construction in accordance with the theology of the Unitarian denomination; that they contain no distinct and unequivocal affirmations of these doctrines as they are held by all evangelical churches.

SPECIFICATION SECOND.

That the effect of these vague and ambiguous statements has been to cause grave doubts to be entertained by some of Mr. Swing's ministerial brethren, respecting his position in relation to the aforesaid doctrines, that leading Unitarian ministers, to wit: Rev. R. Laird Collier and Rev. J. Minot Savage, have affirmed that his preaching is substantially Unitarian; that Mr. Swing, knowing that he is claimed by Unitarians as in substantial accord with them, and of the doubts existing as aforesaid, and moreover, having his attention called in private interviews to the ambiguity and vagueness of his phraseology, has neglected to preach the doctrine of our Lord's Deity, the doctrine of the Trinity, of Justification by Faith alone, and of the eternal punishment of the wicked.

SPECIFICATION THIRD.

He has manifested a culpable disregard of the essential doctrines of Christianity by giving the weight of his influence to the Unitarian denomination, and by the unworthy and extravagant laudation in the pulpit, and through the press of John Stuart Mill, a man who was known not to have believed in the Christian religion; that is to say, that some time in the past winter, and during successive days he was advertized to lecture in the city of Chicago, in aid of a Unitarian chapel and that he did lecture in aid of said chapel, and in doing so aided in the promulgation of the heresy which denies the Deity of our blessed Lord; that in an article written by him, and published over his name in the periodical called *The Lakeside Monthly*, bearing date, October, 1873, and entitled "The Chicago of the Christian," a passage occurs, which, taken in its plain and obvious sense, teaches that Robert Collyer, a Unitarian minister, and Robert Patterson, a Presbyterian minister, preach substantially the same gospel, that the gospel, meaning the Christian religion, is mutable, and may be modified by circumstances of time and place, that the "local gospel," meaning the gospel of Chicago, is a "mode of virtue" rather than a "jumble of doctrines," and moreover, that on the Sabbath following the death of John Stuart Mill, a well-known Atheist, Mr. Swing preached a sermon in reference to Mr. Mill, the natural effect of which would be to mislead and injure his hearers by producing in them a false charity for fundamental error.

SPECIFICATION FOURTH.

In the sermons aforesaid language is employed which is derogatory to the standards of the Presbyterian Church, or to one or more of the doctrines of said Church, and which is calculated to foster indifference to truth, and to produce contempt for the doctrines of our Church: that is to say, that he has at sundry times spoken disparagingly of the doctrine of the Trinity, Predestination, the

Person of Christ, Baptism, the Christian Ministry, and Vicarious Sacrifice. That by insinuation, ridicule, irony, and misrepresentation, he has referred to the doctrines of our Church in such a way as to show that he does not value them; and that by placing in juxtaposition true doctrines and false minor points in theology and cardinal doctrines of evangelical religion, he has treated some of the most precious doctrines of our religion with contempt. The reference is particularly to sermons entitled "Soul Culture," "St. Paul and the Golden Age," "Salvation and Morality," "Value of Yesterday," "Influence of Democracy on Christian Doctrine," "Variation of Moral Motive," "A Religion of Words," all published in the Chicago Pulpit, and to "Religious Toleration," "Christianity and Dogma," "Faith," "The Great Debate," "Christianity as a Civilization," published in "Truths for To-Day," and in the sermons entitled "The Decline of Vice," "Christianity a Life," and a "Missionary Religion," published in the *Alliance* newspaper. The following passage illustrates the allegation: "Over the idea that two and two make four no blood has been shed; but over the insinuation that three may be one, or one three, there has often been a demand for external influence to brace up for the work the frail logical faculty. It is probable that no man has ever been put to death for heresy regarding the Sermon on the Mount. Its declarations demand no tortures to aid human faith; but when a church comes along with its "legitimacy," or with its Five Points, or with its Prayer Book, or its Infant Baptism, or Eternal Procession of the Holy Ghost, then comes the demand for the rack and the stake to make up in terrorism what is wanting in evidence."

SPECIFICATION FIFTH.

Being a minister of the Presbyterian Church, and preaching regularly to the Fourth Presbyterian Church of this city, he has omitted to preach in his sermons the doctrines commonly known as evangelical—that is to say, in particular, he omits to preach or teach one or more of the doctrines indicated in the following statements of Scripture, namely: that Christ is a "propitiation for our sins," that we have "redemption through His blood," that we are "justified by faith" that "there is no other name under heaven given among men whereby we may be saved." That Jesus is "equal with God," and is "God manifest in the flesh?" that "all Scripture is given by inspiration of God," and that "the wicked shall go away into everlasting punishment."

SPECIFICATION SIXTH.

He declares that the value of a doctrine is measured by the ability of men to verify it in their experience, in illustrating this statement, he has spoken lightly of important doctrines of the Bible: that is to say, that in a sermon entitled "Christianity and Dogma," printed in the volume called "Truths for To-Day," the following and similar language is used: "The doctrines of Christianity are those which may be tried by the human heart." "The doctrine of the Trinity as formally stated cannot be experienced. Man has not the power to taste the oneness of three, nor the threeness of one, and see that it is 'good.'" "If you, my friend, are giving your daily thought to the facts of Christianity, and are standing bewildered to-day amid the statements of science and Genesis about earth, or its swarms of life, recall the truth that your soul cannot taste any theory of man's origin—cannot experience the origin of man, whatever that origin may have been"

SPECIFICATION SEVENTH.

In the sermons entitled respectively "Old Testament Inspiration" and "The Value of Yesterday," published in the *Chicago Pulpit*, and in the sermons entitled "Righteousness," "Faith," "The Great Debate," printed in "Truths for To-day;" also in the "Decline of Vice," printed in the *Alliance*, he has used language which, taken in its plain and obvious sense, inculcates a phase of the doctrine commonly known as "Evolution" or "Development:" that is to say, he uses the following and similar language: "Low idolatry of primitive man," meaning Adam. "The Bible has not made religion, but religion and righteousness have made the Bible." "Christianity is not forced upon us; our own nature has forced it up out of the spirit's rich depths." "The Mosaic Economy was nothing else but a progress; earth had come to Polytheism, to Pantheism, to Feticism. It was the Hebrew philosophy and its immediate result Christianity, which swept away the iron Jupiter." "This multitude measures a great revelation of God above that day when earth possessed but one man or family, and

that one without language and without learning and without virtue." "In the first human being God could no more display His perfections than a musician like Mozart could unfold his genius to an infant, or to a South Sea Islander." These passages conflict with the Confession of Faith, chapter 8, sec. 1; chapter 7, secs. 3, 4, 5; chapter 4, sec. 2.

SPECIFICATION EIGHTH.

In a sermon entitled "Influence of Democracy on Christian Doctrine," published in the *Chicago Pulpit*, and preached April 20, 1873, he has made false and dangerous statements regarding the standard of faith and practice; that is to say: he used the following and similar language: "When we come to moral ideas we are compelled to do without any standards." "You may, my friends, at your leisure, seek and find further instances of this modification of Christian belief by the new surroundings of government. Christian customs will also be modified along with the creed." "In this casting off of old garments, it no more cheerfully throws away the inconceivable of Christianity than the inconceivable of Kant and Spinoza." "In this abandonment there is no charge of falsehood cast upon the old mysteries; they may or may not be true; there is only a passing them by as not being in the line of the current wish or taste; raiment for a past age, perhaps for a future, but not acceptable for the present.

SPECIFICATION NINTH.

He has given his approval, in the pulpit, to the doctrine commonly known as Sabellianism, or a Modal Trinity, and has spoken slightingly of the doctrine of the Trinity, as taught in the standards of the Presbyterian Church (Confession of Faith, chapter 2, sec. 3) that is to say, in the volume called "Truths for To-day," he uses the following and similar language: "But the moment He (Jesus) has uttered our text,—that 'Those which man can subject to experience are the doctrines that be of God,' reason rises up and unites its voice with that of simple authority. The doctrines of Christianity are those which may be tried by the human heart." "The doctrine of the Trinity, as formally stated, cannot be experienced. Man has not the power to taste the threeness of one, nor the oneness of three, and see that it is 'good.'" "Hence, Christianity bears readily the idea of three offices, and permits the one God to appear in Father, or in Son, or in Spirit."

SPECIFICATION TENTH.

In the sermons entitled, respectively, "The Great Debate," and "Positive, Religion", printed in the volume called "Truths for To-day," false and dangerous statements are made respecting our knowledge regarding the Being and attributes of God, that is to say, that the following and similar language is used: "When Logic informs you and me that God is a law, or a wide-spread blind agency, let us not be deceived, for all it has done is to take away *our* God." "Perfect assurance is just as impossible to a free religionist or atheist as it is to the Christian. Remembering, therefore, that there is no moral idea of beauty or love or soul that may not be denied, and remembering, too, that the assurance that there is a God is always logically equal to the oppo-belief." "We know not what nor where is our God, our heaven." (Confession of Faith, chapter 2, sec. 1, and chapter 2.)

SPECIFICATION ELEVENTH.

In a sermon entitled, "A Religion of Words," published in the *Chicago Pulpit*, and in the sermon entitled Religious Toleration, he uses language in regard to the Sacrament of Baptism inconsistent with the doctrinal standards of the Presbyterian Church (see Confession of Faith, chap. xxvii. § 1, 2, 3, 4, and chap. xxviii. § 1, § 5); that is to say, he speaks flippantly of infant baptism, and, in the sermon above mentioned, used the following words: "The nations await, with tears of past sorrow, a religion, that shall, indeed baptize men and children, either or both, but counting this as only a beautiful form, shall take the souls of men into the atmosphere of Jesus," etc.

SPECIFICATION TWELFTH.

He had used language in respect to Penelope and Socrates, which is unwarrantable and contrary to the teachings of the Confession of Faith, chap. x. § 4, that is to say, that in his sermon, entitled "Soul Culture," the followiug passage occurs: "There is no doubt the notorious Catharine II. held more truth and better truth than was known to all classic Greece—held to a belief in a Saviour, of whose glory that gifted knew nought; yet, such the grandeur of soul above mind that I doubt not that Queen Penelope of the dark land and the doubting Socrates have

received at Heaven's gate a sweeter welcome sung of angels than greeted the ear of Russia's brilliant but false lived queen."

SPECIFICATION THIRTEENTH.

In a sermon printed on or about 15th September, 1872, from 11 Peter, 3, 9, he made use of loose and unguarded language, respecting the Providence of God.

SPECIFICATION FOURTEENTH.

In a sermon preached at the installation of Rev. Arthur Swazey, D. D., as pastor of the Ashland Avenue Presbyterian Church, Chicago, and previously preached about January, 1872, in Standard Hall, Chicago, he repudiated the idea of a call to the ministry, and taught that the office of the ministry, like the profession of law and medicine, is the natural outgrowth of circumstances; that is to say, he said in substance, that the merchant is called to his business, the lawyer to his profession, just as much as the minister to the duties of his office,—and other statements contradicting the teaching of the Confession of Faith in chap. xxv §3, and Form of Government, chap. i, §3. Confession of Faith, chap. xxx, §1 and 2. Confession of Faith, chap. xxvii, §4: chap. vii, §4: chap. xxix, §3.

SPECIFICATION FIFTEENTH.

He has made false and misleading statements respecting the Old Testament sacrifices; that is to say, that in the sermon entitled "A Religion of Words," he speaks of the aforesaid sacrifices as "gift worship," and uses the following and similar language: "Gifts to the Deity, were the infant creepings of religion; the shadow of a coming reality, the manifesting of an incipient love that did not know how to express itself. Not knowing that what God most wished was a pure heart in His children, they loaded His temples with their jewels and raiment, and His altars with their lambs." See Confession of Faith, chapter 7, sec. 5; chapter 8, sec. 4; chapter 14, sec. 3. Larger Catechism, art. 34.

SPECIFICATION SIXTEENTH.

In the sermons aforesaid, religion is represented in the form of a mysticism, which undervalues the evidences of revealed religion, and is indifferent to the distinguishing doctrines of Christianity; that is to say, that in the sermon preached on the occasion of the death of John Stuart Mill, above referred to, and in the sermon called "Positive Religion," printed in "Truths for To-day;" also in the sermon entitled "The Decline of Vice," printed in the *Alliance* newspaper; and in the volume called "Truths for To-day," the following and similar language occurs: "That Mr. Mill did not accept the orthodox creed is not what a liberal world need regret the most, but that he revealed little of the religious sentiment and hope is what we must confess to be a shadow upon his memory." "Victor Cousin, of France, was the rival of Stuart Mill in wisdom, in genius, in intellect; and so Guizot. These three were similar, and strikingly great. But the two latter possessed the power of sentiment. That golden atmosphere of love and hope that hangs around religion enveloped Victor Cousin in its life-long folds. Setting out from the same points of thought, Cousin always came up to God and heaven, and Mr. Mill to the practical of this life; to the happiness of man here, and then paused."

SPECIFICATION SEVENTEENTH.

In the sermons aforesaid he employs the words used to indicate the doctrines of the Bible in an unscriptural sense, and in a sense different from that in which they are used by the evangelical churches in general, and the Presbyterian Church in particular; that is to say, that he so uses such words as "regeneration," "conversion," "repentance," "Divine," "justification," "new heart," "salvation," "Saviour."

SPECIFICATION EIGHTEENTH.

He, in effect, denies the judicial nature of the condemnation of the lost, as taught in the Confession of Faith, chapter 4, sec. 4, chapter 33. Shorter Catechism, chapter 19, art. 84; that is to say, in the sermons entitled "Faith and Christianity and Dogma," printed in the volume called "Truths for To-day," he uses the following language: "The least trace of infidelity lessens the activity; unbelief brings all to a halt, and damns the soul, not by arbitrary decree, but by actually arresting the best flow of its life. Unbelief is not an arbitrary but a natural damnation."

SPECIFICATION NINETEENTH.

He teaches that faith saves because it leads to holy life; that salvation by faith is not peculiar to Christianity; that salvation is a matter of degree, and that the supremacy of faith in salvation arises out of the fact that it goes further than other Christian graces towards making men holy, that is to say, in

the sermons entitled "Faith," printed in the volume called "Truths for To-day," the following and similar language occurs: "Faith in Christ is a rich soil, out of which Righteousness is a gorgeous bloom." "If there were enough truth—truth of morals and redemption in the Mohammedan or Buddhist system to save the soul—faith would be the law of salvation within these systems." "Salvation by faith is not a creation or invention of the New Testament, but is a law that has pushed its way up into the New Testament from the realm without." "No other grace could so save the soul. Charity may do much. It softens the heart, and drags along a train of virtues; but it is limited by the horizon of this life. Voltaire and Paine were both beautiful in charity toward the poor, but that virtue seems inadequate; and of the highest form of charity, a religious faith is the best cause, and hence charity must take the place, not of a leader, but of one that is led. Even penitence is a poor 'saving grace,' compared with faith." See Confession of Faith, chapters 11 and 16.

SPECIFICATION TWENTIETH.

He teaches that men are saved by works; that is to say, in the sermons entitled "Good Works," "The Value of Yesterday," "A Religion of Words," the following and similar language occurs: "There is nothing society so much needs to-day as not Divine righteousness but human righteousness." "Heaven is a height to which men climb on the deeds of this life." "Coming to the grave he only can look forward with joy who can sweetly look back." "The good deeds of yesterday, the good deeds of to-day, the perfect goodness of to-morrow, a deep love for man, a consciousness of the presence of God, will fill the whole place with a nobleness and happiness to which earth has thus far been willingly a stranger. This will be a salvation, and Christ will be a Saviour." Confession of Faith, chapter 11, sec. 14.

SPECIFICATION TWENTY-FIRST.

He denies the doctrine of Justification by Faith, as held by the Reformed Churches, and taught in the Westminster Confession of Faith, chapter 11; that is to say, in the sermon entitled "Good Works," he uses the following and similar language: "Works, that is, results—a new life—are the destiny of faith, the reason of its wonderful play of light on the religious horizon. Faith, as a belief and a friendship, is good so far as it bears the soul to this moral perfection."

SPECIFICATION TWENTY-SECOND.

In the sermon aforesaid misrepresents the doctrinal views of those who believe in Justification by Faith alone, by using language which is calculated to produce the impression that those who hold the doctrine aforesaid, divorce faith from morals, and believe that men may be saved by an intellectual assent to a creed without regard to personal character.

SPECIFICATION TWENTY-THIRD.

He has spoken of the Bible, or portions thereof, in terms which involve a denial of its plenary inspiration as held in the Presbyterian Church and taught in the Confession of Faith, chapter one, and also in the following passages of Scripture: 2 Timothy, 3 16; Acts 1 16, 20; that is to say, in a sermon entitled "Old Testament Inspiration," and in sundry articles written by him and printed in the *Interior* newspaper, he refers to the 109th psalm as a "battle-song," as the "good of an hour," "a revenge;" and in an article printed in the *Interior* September 18, 1873, he uses the following and similar language: "The prominence given to the 109th psalm in my remarks, arises only from the fact that it has long been a public test of the value of any given theory of inspiration. This is one of the places at which the rational world asks us to pause and apply our abundant and boastful words. Most of the young men, even in the Presbyterian Church, know what the historian Froude said of this psalm a few years since: 'Those who accept the 109th psalm as the word of God are already far on their way toward *auto-da-fes* and massacres of St. Bartholomew,' and while they may, for a time, reject these words, they will soon demand a theory of inspiration very different from the indefinite admiration of the past.

SPECIFICATION TWENTY-FOURTH.

He has spoken of the Bible, or portions thereof, in terms which involve a denial of its infallibility, and which tend to shake the confidence of men in its divine authority—as taught in Confession of Faith, Chapter I., that is to say, in the sermon on "Old Testament Inspiration," the following passage occurs: "There is, it seems to me, no other conceivable method of treating the Old Testament than that found in the word *electicism.*

We must seek out its permanent truths, follow its central ideas, and love them the more because they were eliminated from the barbaric ages with so much sorrow and bloodshed." Moreover, in the article in *The Interior* above mentioned, he says that "Christ declared the Ten Commandments defective;" also, in an article written by him, and printed in *The Interior*, September 4, 1873, he speaks of "battles"—meaning the battles of the Israelites—engaged in with the approval and by the command of Jehovah, "that surpassed in cruelty those of Julius Cæsar." He also teaches that the Mosaic legislation was cruel and unjust, and uses the following and similar language; "If David's personal character had been preceded by generations which dripped in blood, by generations which punished over thirty forms of offences with death, by generations which slew women and children, by generations which punished impurity by a fine of one animal from the flock; and, if reared in such an atmosphere, David sent Uriah to the front and thus secured Uriah's beauteous wife, one certainly should not attribute this immorality to any lack of revelation, indeed, but rather to an absence of that quality of revelation found afterwards in the morals of Jesus." Moreover, in an article written by him and printed in the periodical known as the *Sunday School Teacher*, and bearing date July, 1873, he uses the following and similar language. And, moreover, in a sermon entitled "St. John," printed in the volume called "Truths for To-Day," he uses the following and similar language: "There are no prophecies of literal events in the Apocalypse any more than there is in Tasso, or Tennyson, or Whittier." * * "For us to inquire the meaning of the seven seals, and to enquire whether Rome be not the 'Babylon,' would be for us to seek the 'Deserted Village' of Goldsmith, or the 'Beulah Land' of John Bunyan."

The foregoing charge with its specifications may be proved by the printed sermons and articles of Mr. Swing as above mentioned, and by the testimony of the following witnesses:

Oliver H. Lee, Horace A. Hurlburt, William C. Gray, Charles M. Howe, Leonard Swett, William C. Ewing, Mr. McClurg, (of Jansen, McClurg,) Messrs. "Carpenter and Sheldon," Rev. W. C. Young, Rev. J. B. McClure, Rev. R. K. Wharton, Rev. C. L. Thompson, Rev. R. Laird Collier, Rev. J. Minot Savage, C. O. Waters, Rev. Arthur Swazey, D. D., F. A. Riddle, Rev. R. W. Patterson, D. D., A. D. Pence, John McLandburg, Rev. Robert Collyer, Henry G. Miller, William C. Goudy, Rev. J. H. Trowbridge.

CHARGE SECOND.

Rev. David Swing, being a minister of the Presbyterian Church in the United States of America, and a member of the Presbytery of Chicago, does not sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures.

SPECIFICATION FIRST.

Since he began to minister to the Fourth Presbyterian Church he has declared to the Rev. Robert Laird Collier, a Unitarian minister in charge of the Church of the Messiah, in Chicago, in substance, that he agreed with him, Collier, in his theological views, but thought it best to remain as he was for the time, as he could thereby accomplish more good for the cause.

SPECIFICATION SECOND.

He does not accept and believe doctrines contained in the Confession of Faith, viz.: the doctrines commonly known as Predestination, the Perseverance of the Saints, and Depravity, as appears from the sermons above referred to, and the testimony of George A. Shufeldt, Esq.

SPECIFICATION THIRD.

He has declared in a letter to George A. Shufeldt, Esq., since he began his ministry in Chicago, that he had long before that time abandoned three of the five points of Calvinism affirmed by the Synod of Dort, naming the three, meaning three of the doctrines adopted and taught in the Confession of Faith.

SPECIFICATION FOURTH.

In a sermon delivered in the Fourth Presbyterian Church, April 12, 1874, he made statements which, by fair implication, involve a disbelief in one or more of the leading doctrines of the Confession of Faith, to wit: Of Election, Perseverance, Original Sin, the Vicarious Sacrifice of Christ, the Trinity, and the Deity of Christ, that is to say he uses the following and similar language:

"After the hundred-year experiment, there is no probability that any missionary gold

will be exhausted upon any indoctrination of the heathen world in denominational ideas, for the tendency of the present is to abandon sectarian ideas at home; hence there will be little disposition to inculcate abroad doctrines which are rapidly dying by our own firesides."

"The Church of England joins with the dissenting churches in India as a fact, and cares little for the apostolic succession in a land where the Brahmin can so far outdo it in the quantity and absurdity of holy touchings and holy pedigrees. And there the Calvianist conceals his five points, for the crowd of Indian philosophers can always propose ten points far more obscure, and thus all the Protestant sects approach the whole pagan world with the gospel reduced to its simplest expression. Blessed era it will be when we shall be as fully ashamed in America of the things that divide us as we are when our feet touch India or Japan."

"Can it be possible that it requires home training, that is, local and youthful prejudice, to enable us to see the immense worth of our dogmas, and that approaching foreigners not fully drilled in the sectarian method and tactics we fear their smile of unbelief or derision? It is ominous, if, having a score or so of peculiar ideas, we should all get together and agree to say little about them to this Chinaman and that Brahmin. Such a condition of things would seem to indicate one more step along this path, an agreement to say little about these differences to persons not pagans and not upon foreign shores."

"We have come to-day to a survey of Christianity in its truest significance, and hence in its wanderings about from race to race, from island to continent, from river to sea, we may learn what are its most essential parts. A student shutting himself up in his room, may, from the Bible, elaborate a perfect system which shall omit nothing regarding the human will or the mode and quality of everything, but the world in actual experiment may not need, nor even faintly appreciate, one-tenth part of this closet-made system."

The Specifications contained under Charge I. are relied on as contained under and in Charge II., the same as if repeated, excepting the 6th, 10th, and 16th.

The foregoing charge with its specifications may be proved by the printed writings of Mr. Swing, as above referred to, and by the testimony of the following witnesses: Robert Laird Collier, George A. Shufeldt, and also of the witnesses named in Charge I.

Respectfully submitted,

(Signed) FRANCIS L. PATTON.

CHICAGO, *April* 13, 1874.

A copy of the charges and specifications were placed in the hands of the counsel for the accused, and the Stated Clerk was directed to send citations to the witnesses named under the charges, according to "Art. 5th, Chap. IV, Book of Discipline."

The Moderator then proceeded to warn the Prosecutor in the terms of the "Book of Discipline, Art. 7th, Chap. V."

The following protest was then introduced by the Prosecutor, which was admitted to record.

The undersigned beg leave, respectfully, to protest against the action of this Presbytery in entertaining the recommendation of the Judicial Committee with reference to charges and specifications tabled by Prof. Patton against the Rev. David Swing, in so far as these recommendations relate to the relevancy and definiteness of the specifications, and for the following reasons:

1. There is nothing in the Book of Discipline requiring the appointment of such a committee, and further, the general rule for judicatures, No. 40, recommending the appointment of such committee, defines the duty of the committee to consist in digesting and arranging the papers and prescribing the whole order of procedure.

2. The recommendation of the Judicial Committee was what in civil procedure would be called a "demurrer," and should properly, therefore, be the act of the defendant. The Committee in making the recommendations were, in fact, though not in intention, acting as counsel for the accused.

3. It is possibly, not proper, for the accused to demur at this stage of the proceedings, or it would more legitimately follow that the prosecution should have the right to appeal. The fact that the Book of Discipline provides that no appeal can be taken until the case is issued might be urged as good reason for the supposition that it does not contemplate the right to demur.

4. It is distinctly stated in the Book of Discipline, Chap. V, Sec. 8, that nothing shall be done at the first meeting, except the putting of a copy of the charges and specifications into the hands of the accused.

5. It is provided in the Book of Discipline, Chap. V, Sec. 12, that the importance of the charges shall not be determined until the witnesses are heard.

(Signed.) FRANCIS L. PATTON,
W. F. WOOD,
J. D. WALLACE,
J. M. HORTON,
J. M. FARIS,
MARTIN LEWIS,
WILLIAM BROBSTON.

A committee, consisting of Revs. R. W. Patterson, E. L. Hurd, and J. H. Trowbridge, were appointed to answer this protest at the next meeting.

Adjourned with prayer, to meet on May 4th, in the Chapel of the First Presbyterian Church, Chicago, at 9:30 A. M.

CHICAGO, Monday, May 4th, 1874.

The Presbytery met, pursuant to adjournment, in the Chapel of the First Presbyterian Church, at 10:30 o'clock A. M., and was opened with prayer.

Inter alia.

Arthur Swazey gave notice that he should introduce a protest, at the proper time, against the form of the charges and specifications upon which Prof. Swing had been arraigned.

R. W. Patterson, on behalf of the committee appointed to prepare and answer to the protest presented at the last meeting by Prof. Patton, submitted the following, which was adopted:

The protest presented by Prof. F. L. Patton, and others, was surprising to this body, inasmuch as the protesters had seemed to acquiesce cheerfully in the action against which the protest is directed.

The protest is directed against the action of the Presbytery in entertaining the recommendations of the Judicial Committee, with reference to the charges and specifications tabled by Prof. Patton against the Rev. David Swing, in so far as these recommendations relate to the relevancy and definiteness of the specifications. It will suffice to notice very briefly the reasons assigned for the protest:

First—It is alleged that there is nothing in the Book of Discipline providing for the appointment of a Judicial Committee; and it seems to be assumed, though it is not affirmed, that the General Rule for Judications, No. 41, does not authorize the Judicial Committee to recommend that the prosecutor should be required to make his charges or specifications more definite.

But, although there is nothing in our Book of Discipline that requires the appointment of a Judicial Committee, it is specifically provided for in Rule 41 of the General Rules for Judicatories recommended by the General Assembly for the adoption of the inferior Judicatories. These rules were adopted by the Presbytery after the reunion of the Church at its meeting in October, 1871, and under Rule 41 the Moderator had appointed a Judicial Committee before the charges of Prof. Patton were introduced. It is made "the duty of the Judicial Committee" to digest and arrange all the papers, and to prescribe, under the direction of the Judicatory, the whole order of the proceedings. "To digest" is "to dispose in due method," that is, to put in proper form for trial, or at least to consider and suggest to the Judicatory the form required by the rules of the Church. Accordingly, the Judicial Committee of the General Assembly, whose duties correspond closely with those of our Judicial Committee, has often recommended not only the issuing of cases brought before them, but the dismissal of appeals and complaints, on grounds of informality. See New Digest, "Appeals," and "Complaints." Also Baird's Digest. If, moreover, it should be held that the Judicial Committee is not bound in "duty" to recommend that charges and specifications referred to them should be made more definite, if they deem them not sufficiently explicit, there is still nothing in the nature of their office to *forbid* that they should make such recommendations, and the Judicatory is at liberty, if they choose, to accept their report and to act upon it, within the limits of the Constitution.

Second—It is alleged that the recommendations of the Judicial Committee in the present case were of the nature of a demurrer in civil courts, which should be made by the defendant. But the Presbytery, in such cases, is Grand Jury, Court, and Petit Jury, all in one; and its first duty to see that the charges and specifications are conformed to the Constitution and the decisions of the higher courts, both as to substance and form, before consenting to consider them as a court; and this, whether the accused party is present and demurs or not. In Book of Discipline, Chap. I, Sec. 4, it is said that "nothing ought to be considered by any Judicatory as an offense, or admitted as matter of accusation, which cannot be proved to be such from Scripture, or from the regulations and practice of the Church founded on Scripture, and which does not involve those evils which discipline is intended to prevent." The Judicatory has, therefore, the right, and is bound, to judge in regard to the character of charges and specifications, before "admitting them as matter of accusation." In Book of Discipline, Chap. IV, Sec. 8, and in the decisions of 1770 and 1824, New Digest, page 194, it is required that Judicatories shall "not receive or judge of any charge but such as shall be seasonably reduced to a specialty in the complaint laid before them," and that "all charges for heresy should be as definite as possible," even to the specification of the particular passage of Scripture or the Confession, that are supposed to be impugned. But if the Presbytery is bound to require that charges and specifications be explicit, the Judicial Committee may recommend that this order be taken. And in so doing neither the committee nor the Presbytery acts as counsel for the accused, but both use proper diligence, before an accusation is admitted, to secure the performance of a duty, prescribed by our Constitution, without any intimation whatever on either side as to the truth or justice of the charges and specifications.

Third—The third reason of the protestors seems to assume that only the defendant, or his counsel, has a right to question the legality of the charges and specifications, which has been shown to be an error.

Fourth—The fourth reason of the Presbytery is that the Book of Discipline, Chap. V, Sec. 8, cuts off all business at the first meeting, unless with the consent of parties, except giving a copy of the charges with the names of the witnesses to the accused, and citing all parties to appear at a subsequent meeting. But it is plain, especially after comparing Discipline, Chap. IV, Sec. 5, with the chapter and section appealed to by the Presbyters, that that section refers only to action after the charges have been legally entertained and the Court has been charged in its judicial capacity. Nothing further is to be done towards the judicial investigation of the charges, "at the first meeting (unless by consent of parties) than giving the minister a free copy of the charges," etc. But this surely does not forbid that the Presbytery should previously determine whether or not the complaint should be admitted; that is, whether or not it will give the prosecutor leave to prosecute his charges. In the present case the prosecutor was permitted to read his charges and specifications, but they were not admitted by the Judicatory "as a matter of accusation" until the final report of the Judicial Committee was adopted. At that point the Judicatory, in the sense of the book, "entered upon the consideration" of the charges: in other words, the complaint was then legally before the Presbytery for judicial inquiry, and nothing further was done at that meeting by the court in its judicial capacity, "than giving the minister a full copy of the charges," etc. Besides, no objection was made to the preliminary action of the Presbytery, by either party, on the ground afterward defined by the protestors. So that the parties may be fairly regarded as having given their consent to the procedure of the Presbytery. If, moreover, the construction given by the protestors to Discipline, Chap. V, Sec. 8, be correct, they themselves were out of order in presenting their protest "at the first meeting," and thus after the court was duly organized and charged by the Moderator.

Fifth.—The protestors allege as their fifth and last reason, that the Book of Discipline, Chap. v, Sec. 12, provides that the importance of the charges shall not be determined until the witnesses are heard. But the Judicial Committee did not recommend, nor did the Presbytery, decide anything whatever in regard to "the importance of the charges." The action complained of had respect solely to the indefiniteness of the specifications.

Besides, the inference of the protestors from the passage in the Book of Discipline to which they appeal does not seem to be warranted by the language of the book, for it is provided in Discipline, Chap. I, Sec. 4, already quoted, that the Judicatory "shall not admit anything as a matter of accusation which cannot be proved to be such from Scripture, or from the regulations of the Church, founded on Scripture." The Judicatory is therefore bound to reject certain classes of charges, *in limine* as not entitled to judicial consideration. But then after charges have been entertained as in appearance sufficiently important to be investigated it may appear from the testimony of witnesses or other evidence that they are not well founded. If, however, on hearing the witnesses, the charges still appear important, and seem to be well supported, the Judicatory shall proceed as the section directs. This construction preserves the harmony of the Book of Discipline with itself, while that of the protestors brings its different provisions into conflict with one another, and would oblige us to conclude that no Judicatory may reject even the most frivolous or indefinite charges on any ground whatever.

All of which is respectfully submitted.

(Signed.) R. W. PATTERSON, E. L. HURD, J. H. TROWBRIDGE, } Com.

The Stated Clerk announced that all the witnesses named in the charges and specifications had been duly cited to appear at this meeting.

The Moderator then called the attention of the Presbytery to the fact that they "Were about to pass to the consideration of the business assigned for trial;" and enjoined "on the members to recollect and regard their high character as judges of a court of Jesus Christ, and the solemn duty in which they are about to act." (See General Rules 39.)

He also proceeded to warn the prosecutor "that if he failed to prove the charges he must himself be censured as a slanderer of the gospel ministry in proportion to the malignancy or rashness that shall appear in the prosecution." (See Book of Discipline, Chapter V, Sec. 7.)

Professor Swing then appeared and pleaded not guilty to the charges and specifications in the following terms:

MR. MODERATOR AND BRETHREN:

Called upon in the outset of these proceedings to enter my plea to the charges and specifications presented by Francis L. Patton, I beg permission to submit the following: I object to the charges as too vague and as embracing no important offense, yet, not wishing to raise any technical objections, I enter the plea of "Not guilty." I admit the extracts from sermons and writings, but I would ask the Presbytery to consider the entire essays or whole discourses from which the extracts are made. I avow myself to be what, before the late union, was styled a

New School Presbyterian, and deny myself to have come into conflict with any of the Evangelical Calvinistic doctrines of the denomination with which I am connected, and I beg permission to enter as a part of my plea the following statements: 1. Regarding my relations to the Liberal Churches. 2. Regarding my relations to the Presbyterian Church. Of these I shall speak in their order.

By way of explaining the quantity of the public offense, I will state that of fifteen lectures delivered in this city for benevolent purposes all but two were on behalf of the Evangelical Churches, and, in all cases but one, remuneration was declined. Hence the spirit that prompted such lectures must have been not any marked partiality for the so-called Liberal societies. This much as to the quantity of the alleged offense. Upon the quality of the conduct I would submit the following observations:

1. There is no valuable theory of life except that of good will towards all men. It is only upon the basis of a wide friendship any one can live well the few years of this existence, and hence to decline to lecture on behalf of a Unitarian chapel would do more harm to the mutual good will upon which society is founded than it would do good to an orthodox theology or harm to a Liberal creed.

2. If the object of the Evangelical pulpit is to promulge its better truth, it can do so only so far as its ministry reveal a deep friendship toward all mankind, and so far as they unfurl the banner of their own love, while they are presuming to speak of the impartial love of their Divine Master. There remains no longer any power of authority in the pulpit. The time when the civil police drove a halting sinner into the true church has disappeared, and the modern pulpit must communicate its ideas along the chords of friendship, and he will persuade the most men whose heart can gather up the largest and most diverse multitude into the grasp of its pure affections.

3. But let us come now to the grandest reason why a Presbyterian may express in many ways a kind regard for these so-called Liberal sects. The sin of the "lecture," as charged, must be based upon the assumption that the Unitarian sects are outcasts from God, having no hope in the life to come. The names of Channing, and Elliott, and Huntington, and Peabody, in the pulpits of that sect and the Christ-like lives of thousands in the congregations of that denomination, utterly exclude from my mind and my heart the most remote idea that in showing that brotherhood any kindness, I am offering indirect approval to persons outside the pale of the Christian religion and hope. The idea that these brethren are doomed to wrath beyond the tomb I wholly repudiate. It is, indeed, my conviction that they do not hold as correct a version of the Gospel as that announced by the Evangelical Alliance a few years ago, yet I am just as certain that the Blessed Lord does not bestow his forgiveness and grace upon the mind that possesses the most accurate information, but upon the heart that loves and trusts Him. It is possible that the venerable Dr. Hodge, of Princeton, holds a more truthful view of Jesus than may be held by the distinguished Peabody, who has just lectured from his Unitarian standpoint before the Calvinists in the Union Theological Seminary, but we can point to nothing in the Bible that would indicate that Heaven is to be given to only the one of these two giants who may possess the clearer apprehension of a truth. It might be assumed that God grants the world salvation only on account of the expiatory atonement made by a Redeemer, but that God will grant this salvation to only those who fully apprehend this fact, is an idea not to be entertained for an instant, for this would give Heaven only to philosophers, and indeed only to those of this small class who shall have made no intellectual mistake. Looking upon the multitudes who need this salvation, and seeing that they are composed of common men, women and children who know nothing of the distinctions of formal theology, we cannot but conclude that paradise is not to be a reward of scholarship, but of a loving, obedient faith in Jesus Christ.

When we remember these things, and recall that Dr. Isaac Watts was accused of being a Unitarian, so difficult often is it to perceive the dividing line, we cannot for a moment place these persons called Unitarians outside the great and generous love of the Saviour. I stand ready, therefore, at all times to express toward these sects a friendship not only human, and wise, and social, but also Christian.

The harmony existing between all these brethren and myself is not a harmony of

views in mind, but a harmony of love in the soul. They each and all know that I differ widely from them, but this they and I know—that only the most gentlemanly treatment in public and private will we all receive always from each other. Much as I love Presbyterianism, a love inherited from all my ancestors, if on account of it, it were necessary for me to abate in the least my good will toward all sects, I should refuse to purchase the Presbyterian name at so dear a price.

The second point to be alluded to was my relations to Presbyterianism. A distinction evidently exists between Presbyterianism as formulated in past times, and Presbyterianism *actual*. A creed is only the highest wisdom of a particular time and place. Hence, as in States, there is always a quiet slipping away from old laws without any waiting for a formal repeal, as some of the old statutes of Connecticut are lying dead, not by any legal death, but by long emaciation and final utter neglect of friend and foe; so in all formulated creeds, Catholic or Protestant, there is a gradual, but constant, decay of some article or word which was once promulged amid great pomp and circumstance. And yet no Church is willing to confess its past folly and repeal the injurious or untrue. All, Catholic and Protestant, simply agree to remain silent.

In the Presbyterian Confession of Faith there are about two hundred formulas of truth, or supposed truth. It is a wonderful argument in favor of this compendium that not one-tenth of these have been found false to the Bible or false to the welfare of society. To designate these two hundred as Calvinism is a gross injustice, for they are almost all valuable truths, common to all churches, and gathered up from the sacred page.

But from a few statements out of this large number the *actual* Presbyterian Church has quietly passed away. Conventions cannot be called every few years to amend or repeal some one article. It would entail endless debate and expense, and perhaps promote wide discord thus to call from time to time a new Westminster Assembly. As the Christian world avoids a revision of the translation of the Bible because of the tumult such a new version would probably create among the sects, so each particular Church postpones as long as possible any formal modification of its historic statements of doctrine. But meanwhile individual minds cannot be slaves: they cannot suspend the use of their judgment and best common sense. Hence, unable to revoke any dangerous idea by law, the Presbyterian Church permits its clergy to distinguish the *actual* from the Church *historic*. To the Presbyterian Church actual I have thus far devoted my life, giving it what I possess of mind and heart.

Chief among the doctrines which our Church has passed by as being incorrect, or else an overdevelopment of Scriptural ideas, are all those formulas which look toward a dark fatalism or which destroy the human will, or indicate the damnation of some infant, or that God, for His own glory, foreordained a vast majority of the race to everlasting death. It has been my good or bad fortune to speak in public and in private to a large number of persons hostile to our church, and in nearly all cases I have found their hostility based upon the doctrines indicated above, and in all ways, I have declared to them that the Presbyterian Church had left behind those doctrines, and that her religion was simply Evangelical, and not, *par excellence*, the religion of despair. In my peculiar ministry a simple silence has not been sufficient. I have, therefore, at many times declared our denomination to be simply a church of the common Evangelical doctrines.

Besides the formulas of its books, our church has suffered more than pen can record from the wild utterances of some of its great names, and from these it has been my frequent duty to try to separate her fair and sweeter present. There were ages when mothers wailed in awful agony over a dead infant because they had been taught that children "not a span long" were suffering on the hot floor of hell, and that each new-born infant was only a "lump of perdition;" and, under the awful lashing of these thoughts, mothers used to baptize their *dead-born* little ones, piteously beseeching God to ante-date the sacred rite. In the midst of this wail of infants damned, Luther himself says, "God pleaseth you when He crowns the unworthy; He ought not to displease you when He damns the innocent."

Against the doctrine of fatalism, as implied in the perfect independence of God's decree as to all human conduct, against the ultra form of human inability it has been my constant duty, as it seemed, to protest, and thus

defend our church from the influence of ideas so repudiated by modern thought. An eminent churchman, perhaps Luther, said "All things take place by the eternal and invariable will of God, who blasts and shatters in pieces the freedom of the will."

Next to the baneful Calvinistic estimate of the will, comes the overstatement of the idea of salvation by faith all along through the Presbyterian history. Said Luther, "You see how rich is the Christian. Even if he would, he could not destroy his salvation by any sins, however grievous, unless he refuse to believe." "Be thou a sinner and sin boldly, still more *boldly believe*. From Christ no sin shall separate, though a thousand times a day we should commit fornication and murder." In my ministry I have toiled the harder to unite faith and holiness, because of this dreadful page of history written down against the Calvinistic branches of the Protestant Church.

Next to the injury the Presbyterian Church has sustained from its errors as above mentioned, it has become a source of actual infidelity by its terrific doctrine of hell. Even to the day of Edwards, and since, the pictures of perdition have been such as at first, indeed, to frighten the multitude, but such as afterward to destroy the idea of God. Look where one might, it was perdition to all but his sect, and, to look upon other sects in the pains of hell, was to form a part of the happiness of the blessed. The fagot, the rack, and the boiling oil were a resort of potentates, for, if God was so glorying in the torment of heretics just beyond, it was a small matter if the Church tormented them slightly on this side the tomb. We need not disguise the fact, my brethren, that the dark side of Calvinism gave birth to infidelity in that age when the Church was narrow in its love, broad only in its damnation. But permit me to quote from one who has not been arraigned for bad teaching, but whose words have just been published by the American Tract Society, — Theodore Christlieb. He says: "It was the former century which prepared the way among ourselves for the prevalence of Rationalism? Was it not the petrifaction of Evangelical faith into dry forms of a dead orthodoxy? The sermons of that period were for the most part * * * about Crypto-Calvinists, Syncredists, Synergists, Majorists, Antinomians, Osiandrians, Weigelians, and Arminians. * * *

At such a time, when cold orthodoxy was almost everywhere substituted for living faith, when a slavish adherence to the church's standards was put in place of a free inquiry into the sense of Scripture, and a fresh bondage to the letter was introduced, it became a simple necessity for energetic minds like Lessing to come to an open breach with traditional Protestantism * * * * Rationalism was right in contending for simple morality in opposition to a theoretic orthodoxy." "It must be confessed that the Church theology of the last century was chiefly to blame for the general apostasy from the ancient faith which then began. From the middle of the eighteenth century to the end of the first third of the nineteenth the chief authorities in pulpits and institutions of learning were promoters of Rationalism. * * * For this spirit we theologians have only ourselves to thank. We are now reaping what we ourselves have sown."

Such are the words of a profound thinker who, to his fame as a thinker, adds a parallel fame of piety. Amid some of the unparalleled doctrines of our church, arose the intellectual revolt of the present times, and we can only check the progress of the evil by withdrawing the cause. It is an ominous fact that the Liberal creed which the charges in this case attack has sprung chiefly from that land which once lay wholly subject to the severe tenets of the Puritans.

It seems to me the world is now fully ready for an orthodoxy that shall firmly, yet tenderly, preach all of the creed except its plain errors or dark views of God and man. Not one of you, my brethren, has preached the dark theology of Jonathan Edwards in your whole life. Nothing could induce you to preach it, and yet it is written down in your creed in dreadful plainness. Confess, with me, that our beloved church has slipped away from the religion of despair, and has come unto Mount Sion, into the atmosphere of Jesus as He was in life and death, full of love and forgiveness. And yet it is only in the narrow field just pointed out that I have in any way departed from the doctrines of the Presbyterian Church.

One of the most distinguished of our theological teachers in the east has just written: "There is not enough in that indictment to convict one of heresy. All these commotions only point to a time when secta-

rianism will disappear, and all Christians will meet on the platform of a common faith in one Christ and one Saviour, and fastening all their faith upon Him as a Redeemer, will cast off many of the forms which now perplex them."

Beloved brethren, holding the general creed as rendered by the former New School Theologians, I will, in addition to such a general statement, repeat to you articles of belief upon which I am willing to meet the educated world, and the skeptical world, and the sinful world, using my words in the Evangelical sense: The inspiration of the Holy Scriptures, the Trinity, the divinity of Christ, the office of Christ, as a mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and wicked.

I have now read before you an outline of my public method and of my Christian creed. It is for you to decide whether there is in me orthodox belief sufficient to retain me in your brotherhood. Having confessed everywhere that the value of a single life does not depend upon sectarian relations, but upon Evangelical or Christian relations, I am perfectly willing to cross a boundary which I have often shown to be narrow; but going from you, if such be your order at last, it is the Evangelical Gospel I shall still preach, unless my mind should pass through undreamed of changes in the future.

From the prosecutor of this case I would not withhold my conviction that he has acted from a sense of duty; therefore, to him, and to you all, brethren, I extend good-will, and hope that in a wisdom religious and fraternal, you will be enabled to do what is right in the sight of God.

A resolution was introduced by Abbott E. Kittredge, and amended by Arthur Swazey, as follows:

Resolved, That the judicial proceedings be arrested at this point, and that a committee be appointed to confer with the parties in the case, in the hope of reaching such an understanding as shall avoid the necessity of further trial; and that the appointment of this committee is not to be construed in any way or degree, directly or indirectly, as a *post facto* authorization of approval of the prosecution in bringing his case into court, nor that from the presentment and answer the prosecutor has any *prima facia* claims to be satisfied in any matter pertaining to this case, except as he is satisfied in the prosecution and judgment of the case before the Presbytery.

After much discussion the resolution was laid on the table, and ordered to be entered in the records.

Professor Patton moved a continuance of the trial for two months in order to obtain the testimony of Robert Laird Collier, a witness now in Europe, and presented the following affidavits in support of the motion:

In the matter of the complaint of Rev. Francis L. Patton against Rev. David Swing, before the Presbytery of Chicago.

Francis L. Patton being duly sworn, deposes and says, upon his information and belief, that Robert Laird Collier, who is named as a witness in support of the complaint, and resides in the city of Chicago, left his home a short time before the meeting of this Presbytery for a tour in Europe, expecting to be absent until next September, and therefore his testimony cannot be obtained at the present time.

He further says that he had no knowledge or information of the matter mentioned in the first specification under the second charge until after he gave notice to the Presbytery of a purpose to present this complaint, that a few days after that meeting he heard a report, purporting to come from the Rev. B. M. Hobson, of Kentucky, that Robert Collyer, of Unity Church, in this city, on the occasion of delivering a lecture in Cynthiana, Kentucky, during last winter, had stated that he had received a letter from Rev. David Swing, with a declaration substantially the same as mentioned in said specification, and thereupon inquiry was made of Dr. Robert Collyer, who said, as deponent is informed, that he had never received any such statement, and had never been in Cynthiana; but about the same time he obtained this information he also heard that Dr. Robert Laird Collier had lectured during the late winter at Cynthiana, and for the purpose of ascertaining the truth of the report, the deponent dropped a letter to Mr. Hobson and asked him to make a written statement of the facts, verified by oath, and in answer to such request he received an affidavit, which is hereto attached and submitted to the Presbytery.

And this deponent further says that he is informed, and believes, that Dr. Collier, before his departure from Chicago, boxed up his papers and left them in store in some place unknown to this deponent, and that there is no person who has the right to permit an examination of the papers, without the consent of Dr. Collier, and there has not been sufficient time to obtain such permission.

And the deponent submits these facts to Presbytery for the purpose of showing that the testimony of Dr. Collier is material, that it is not the fault of the deponent that the evidence cannot now be produced, and the grounds upon which the first specification under the second charge rests, and to enable the Presbytery to determine the proper action to be taken.

[Signed] FRANCIS L. PATTON.

Subscribed and sworn to before me, this 4th day of May, 1874.

[Signed] FRANK E. OLIVER,
Notary Public.

I hereby certify, that on or about 9th Dec. last, at the Smith House, in Cynthiana, Ky., I, in company with other gentlemen called upon Mr. Robert Laird Collier, in the afternoon preceding the evening on which he lectured in the Arcolian Hall: that during the interview, in a very free and general conversation, mainly on theological subjects, I asked him particularly about the general position of Prof. Swing as to his theological views, as he was understood in Chicago: that Mr. Collier stated in reply that Mr. Swing preached substantially such views as he himself entertained; that such preaching was novel and attractive to Mr. Swing's congregation; that it was in accordance with the advanced thought on such subjects, and in advance of the formulated theology: that he had written a note to Mr. Swing asking him where he stood, and that the reply of Mr. Swing to that note was, that he was with him—meaning, as I understood, that they were in accord in their views: and that the note of Mr. Swing further stated that it was best he should continue in the position he then occupied, as in that way he could do more to advance their common views.

This deponent does not design to say that these were the precise terms used by Mr. Collier, but that it was the substance of what passed in that conversation with reference to Prof. Swing, and embraces much of the phraseology.

(Signed,) B. M. HOBSON.

Cynthiana, Ky., April 9, 1874.

I hereby certify, that I was present and took part in the conversation with Robert Laird Collier, referred to in the foregoing deposition of B. M. Hobson: that I was deeply interested in the subjects discussed: that while I do not remember all the details stated in the above deposition, my general impressions were the same with those of B. M. Hobson; that I was *astounded* at the heresies announced by Robert Laird Collier, and that I distinctly understood him to say that Prof. Swing agreed with him in his views, and either that they exchanged pulpits or that Swing preached in his (Collier's) pulpit, or he (Collier) in Swing's pulpit.

(Signed,) E. FORMAN.

Cynthiana, Ky., April 9, 1874.

STATE OF KENTUCKY, }
COUNTY OF HAMSON. } ss.

On this, the 9th day of April, 1874, personally appeared before me, a Notary Public within and for said county, Revd. B. M. Hobson, and the Revd. E. Forman, to me well known, and made oath to the foregoing statements signed by them respectively.

[Signed,] J. S. WITHERS,
Notary Public and Conveyancer.

Rev. George C. Noyes, offered the following affidavit:

CHICAGO, MAY 1, 1874.

REV. GEORGE C. NOYES,

My Dear Sir: I have received your letter of the 30th ult., asking for information in relation to the time when Rev. R. L. Collier will probably return from Europe; as to my acquaintance with him; and as to my knowledge of the contents of any letter from Prof. Swing to him in relation to doctrinal agreement between those gentlemen.

In the latter part of March, the First Unitarian society, of this city, commonly called the Church of the Messiah, gave Mr. Collier a leave of absence until the 1st of next September. I saw Mr. Collier as he took the train on his departure for Europe, and have since corresponded with him, and it is my understanding that he expects to be able to return, and will return to the city about the 1st of September.

I have known Mr. Collier about fifteen years, and during the last eight years our relations have been intimate.

On the completion of the church edifice of the First Unitarian Society, last October, the building committee, of which I was then a member, suggested to Mr. Collier the propriety of inviting Professor Swing, among other clergymen of the city, to take part in the dedicatory services of the church. The invitation was given, and Professor Swing wrote a letter in reply, declining to take part in the dedicatory services. This letter was shown to myself and other members of the building committee. While I do not remember with verbal accuracy the language of the letter, my recollection is clear as to its substantial import. After declining to take part in the services, he added that he was in doubt as to his duty in the matter, but on the whole thought he had better decline; that he had uniformly spoken kindly of Mr. Laird Collier, of Mr. Robert Collyer, and of their work. There was in the letter no expression of theological opinion, and nothing that implied that he agreed with Mr. Collier in his theological views. I have no doubt but that this is the only letter that has given occasion to the report recently made that Professor Swing has stated that he agreed with Mr. Collier in his theological views. I may add that the Unitarian body in this country has never authorized any statement of its religious belief, and has uniformly refused to allow any such statement to be made under the sanction of its authority; and there is no method by which one may determine the theological views of Mr. Collier or of any other Unitarian, except by going to original sources, as found in the separate utterances of individual opinion.

In accordance with your suggestion that you might have occasion to use this answer

to your letter as an affidavit, I append a *jurat* hereto. Respectfully,

(Signed) DANIEL L. SHOREY.

STATE OF ILLINOIS, } ss.
COOK COUNTY. }

I, Daniel L. Shorey, being first duly sworn, depose and say that the statements in the foregoing letter are true, as I verily believe.

(Signed,) DANIEL L. SHOREY.

Subscribed and sworn to before me this second day of May, A. D. 1874.

(Signed) AZEL T. HATCH,
Notary Public.

Dr. Swazey made certain inquiries of Professor Patton regarding the importance of R. L. Collier's testimony and the probability of his obtaining it.

Mr. Noyes then introduced as a witness Mr. N. S. Bouton, who, having been sworn, testified as follows:

Question—Have you somewhat recently had a conversation with the Rev. Robert Laird Collier in regard to his theological views?

A. I had a conversation with him about one year since—one year ago on the 1st of June. I had occasion to go to Detroit in his company, and I took occasion to talk with him in relation to his religious doctrinal views. At that time I asked him a question in relation to his views on the divinity of Christ, for that I noticed in his prayers that he often closed in the same way as other ministers, so that I would not have noticed that he differed in his views from Presbyterian or Congregational clergymen. He said: "My views have never changed since I left the Methodist Church. I did not leave the Methodist Church because of any change in my views, but it was fully understood when applied to to join the Unitarian Church that I would not surrender my views or religious opinions—that I did not turn Unitarian. He was emphatic in the statement that he had made no change whatever in his opinions, and he went on to explain the reason why he went into that church to preach.

Professor Patton then cross-examined the witness as follows:

Q. Did he say what hi iews were before he left the Methodist Church?

A. I don't think we discussed that point, except in relation to the divinity of Christ.

Q. Did he express his views on that subject?

A. He believed in Christ as the Saviour as he had done—he had never made a change in that opinion.

Q. Did he say he believed Christ was God?

A. Don't think I asked that question.

Q. Did he go on to speak on other topics of theology?

A. We were speaking particularly of the divinity of Christ.

Q. What did he say about that?

A. He said he had made no change whatever in his views he held when in the Methodist Church, and he was not a Unitarian, and did not go into the church as such.

Q. How did he get into the church if he is not a Unitarian?

A. He said when he preached as a Methodist a large number of Unitarians gathered at his services, and they finally made him a proposition to go into the Unitarian Church. He at first declined, but afterwards accepted the proposal and entered the church with a proviso, that in the morning he should preach a sermon for the congregation and church, while he should have the privilege of giving lectures or preaching in the evening, without regard to the religious opinion of his church. This was his arrangement.

Q. He did not go into any discussion in regard to the divinity of Christ?

A. No.

Q. He did not distinguish between the divinity of Christ and the deity of Christ?

A. The first question was: "Why do you in closing your prayers ask that they may be granted because of Christ or for Christ's sake?

Q. Did you discuss the trinity?

A. No; I don't think we did.

Testimony read to and approved by witness.

[Signed] N. S. BOUTON.

The prosecutor here entered his dissent from the action of the court in receiving the testimony of N. S. Bouton.

Adjourned with prayer, until Tuesday morning, May 5th inst., at 9:30 o'clock.

TUESDAY, May 5, :30 A. M.

The Presbytery re-assembled and was constituted with prayer by the Moderator.

Inter alia.

Dr. Swazey requested that the questions and answers which passed between himself and Prof. Patton, during the session of yesterday, be admitted to the records.

After discussion the following questions and answers, taken from the stenographic report, and read by Dr. Swazey, were ordered to be entered as a part of the records:

Dr. Swazey:—I desire to ask the prosecutor one question,—if he is prepared to say that he cannot prove the case without the testimony of Mr. Collier—to prove that second charge.

Prof. Patton:—I am not prepared to say anything.

Dr. Swazey:—I wish to ask another question, and I hope I shall get an answer; whether he has had communication with Robert Laird Collier since he began the prosecution?

Prof. Patton:—I have not heard from him at all.

Dr. Swazey:—Have you made endeavors to hear from him?

Prof. Patton:—No, I have not made any endeavors; and I do not think it is relevant, with all respect to Dr. Swazey, that I should be catechised.

Dr. Swazey:—He should show that he has used all personal endeavors to bring his witnesses.

Prof. Patton:—I shall respond by saying, that, while I might decline to answer his questions, I have not been disrespectful to the court, nor have I been neglectful of my duty.

The prosecutor thereupon entered his protest as follows:

The undersigned protests against the action of the Presbytery in recording the questions of Dr. Swazey asked of Prof. Patton, and for the following reasons:

1. He had furnished the Presbytery an affidavit which set forth with sufficient accuracy the reasons for asking a continuance of the case pending, and that it is not competent for the Presbytery to investigate any fact outside of the affidavit.

2. Because the answers were not given under the solemnity of an oath, and are not entitled to be regarded as evidence.

3. Because the questions and answers aforesaid are a reproduction, from the memory of the Court, of a conversation which took place yesterday afternoon, in which the replies were made as a matter of courtesy, and with no idea that they were to form a part of the record of the Presbytery.

4. Because it is the belief of the undersigned that the newspaper report of the said conversation is not correct.

(Signed.) F. L. Patton.

Drs. Swazey and Hurd, and Elder Gould were appointed a committee to answer this protest.

The motion for continuance was then taken up.

Mr. Noyes submitted the following affidavit:

David Swing, being duly sworn, deposes and says that, upon the dedication of the Church of the Mesiah, in Chicago, Ill., the Rev. Robert Laird Collier wrote him a letter asking affiant to assist in the dedication of his new church; that affiant replied thereto, declining to assist in such dedication; that in such letter there was no expression of his (affiant's) religious belief; that he did not state therein that he "agreed with him" (Collier) "in his theological views," or that he "thought it best to remain as he was for the time, as he could thereby accomplish more good for the cause." And he did not state therein anything of the purport expressed in the first specification under the second charge against him; that the letter above referred to is the only letter ever written by him to the said Collier; that he never, at any time, used the above or similar language expressed in said specification to the said Collier. And affiant further says that he never exchanged pulpits with said Collier, and that he never preached in said Collier's pulpit, nor the said Collier in his.

(Signed,) David Swing.

Sworn to, etc.,

(Signed,) George Chandler, Notary Public.

The motion for continuance was laid on the table for the present, with the understanding that, after the testimony shall have been heard in relation to the other specifications in the indictment, if renewed, it may then be considered.

Prof. Patton entered his dissent.

The following stipulation regarding printed matter offered in evidence, was read:

In the matter of the complaint of Rev. Francis L. Patton against the Rev. David Swing before the Presbytery of Chicago, it is hereby stipulated that upon the trial of this complaint the following documents and publications may be used in evidence, to-wit:

First. The sermons contained in a book entitled "Truths for To-day," and published by Jansen, McClurg & Co., of Chicago.

Second. The sermons entitled Soul Culture, St. Paul and the Golden Age, Salvation and Morality, Value of Yesterday, Influence of Democracy on Christian Doctrine, Variation of Moral Motive, A Religion of Words, Old Testament Inspiration, published in the *Chicago Pulpit.*

Third. The sermons entitled The Decline of Vice, Christianity a Life, and A Mission of Religion, published in the *Alliance* newspaper.

Fourth. The article entitled "The Chicago of the Christian," published in the *Lakeside Monthly*, October, 1873.

Fifth. The article entitled "The Interpretation of the Apocalypse," printed in the *Sunday School Teacher*, July, 1873.

Sixth. The following sermons, printed in the *Times* and *Tribune* of this city, purporting to have been preached by him, to-wit: The sermon on Providence, printed about the 15th of September, 1872, and preached

from II Peter III 9, and the sermon on the death of John Stuart Mill, printed in the *Tribune*.

Seventh. The articles published last year over his name in the *Interior*, to-wit: The articles entitled "Prof. Swing on the Old Testament," September 4, 1873; "Old Testament Inspiration," September 18, 1873; "Errata," of the *Interior*, October 9, 1873.

And it is stipulated that Prof. Swing was the author of the said sermons and articles. And it is further agreed that any of the said publications may be corrected by the originals in the possession of Prof. Swing, if he desires to produce them.

(Signed,) FRANCIS L. PATTON,
GEORGE C. NOYES,
For DAVID SWING.

Chicago, April 27, 1874.

By consent of both parties, Chap. VI, Sec. 7th, Book of Discipline is not to be enforced upon witnesses during the present trial.

The prosecutor then called Rev. W. C. Young, who being sworn testified as follows:

Rev. Wm. C. Young was sworn, and being examined by Prof. Patton, testified as follows:

Q. Mr. Young, did you ever have a conversation with Mr. Swing with respect to his relations to the Liberal Christians and Unitarians?

A. It was about, I think, four or five weeks ago, just after our minister's meeting, that I showed Mr. Swing a letter I had written to Mr. Hobson, whose name has been mentioned here before this court, and whom I knew personally very well, in which the same substantially was asserted as is asserted in the affidavit which you have heard here. I showed that letter to Mr. Swing and he mentioned, in the conversation that ensued—a short conversation that followed, that Mr. Collier—I cannot give his words of course; I can give it substantially—that Mr. Collier had at different times, or at one time said to him that "you and I hold about the same doctrine," or, "we do hold the same doctrine; we feel and think theology together," I do not profess to give the words; I am giving the substance of it.

Q. Did he ever intimate to you his knowledge that he was claimed as a Unitarian?

A. Just in that far, that he said that Mr. Collier had claimed him as being in accordance with him.

Q. Did he ever express on general terms that he was claimed by the Unitarians?

A. I do not remember anything beyond his stating that Mr. Collier claimed him as being in accord with him.

CROSS EXAMINED BY MR. NOYES.

Q. I am requested to ask Mr. Young, whether Mr. Swing said to him that he agreed with Mr. Collier?

A. No sir, he did not; not at all.

Q. Only that he said that Mr. Collier had declared that he (Swing) agreed with him (Collier)?

A. Yes sir.

Q. That Collier had claimed Swing as agreeing with him—that was all?

A. Yes sir.

Testimony read and approved by witness.

(Signed,) W. C. YOUNG.

Rev. C. L. Thompson was sworn, and being examined by Prof. Patton, testified as follows:

Q. Mr. Thompson, did you ever have a conversation with Mr. Swing in respect to his being claimed as a Unitarian?

A. Yes sir. In the course of conversation with Prof. Swing, that subject was mentioned.

Q. Will you be kind enough to say, according to the best of your knowledge and belief what passed between you on that subject?

A. I do not know that I could express very well what passed, because it was a somewhat free and prolonged conversation upon the matters that were already agitating the public, and had begun to agitate the Presbytery. I shall be glad to answer any question that will make definite the point you would like to reach.

Q. Did you ever state to him particularly—did you ever remind him of the negative character of his preaching—the equivocal character of his language?

A. I remember upon a certain occasion—the only one upon which my memory—to which my mind now reverts, of speaking with Prof. Swing concerning his having been claimed by the Unitarians, and also concerning the fact that many of the members of the Presbytery seemed to be in doubt precisely regarding his own position.

Q. Did you ever intimate to him that it would be well for him to clear up those doubts?

A. Yes sir. As I remember, I took the liberty of suggesting to Prof. Swing, or of inquiring whether it would not be wise, if he

would, in some way, state, in such way as he might choose, but in some way that would come before the public, his doctrinal views, that might relieve the embarrassments of his friends and the agitation before the public.

Q. Did you give him to understand that that was your view of the case—as to its wisdom?

A. Yes sir. I think I suggested it to him; which would imply that.

CROSS EXAMINED BY MR. NOYES.

Q. Mr. Thompson, was this before this conversation that you had with Prof. Swing? was it before or after Prof. Patton had made his charge in *The Interior*, upon Prof. Swing?

A. Do you refer to editorials, or to the publications of the charge.

Rev. Dr. Swazey.—I arise to a question of order. I do not suppose that the accused or his counsel are willing to interpose any objections in regard to such kind of testimony for fear that it might prejudice the case, as though they were not willing that all things should be known, but I think, sir, that the court has a duty; and I do not think, sir, and I am quite clear in my thinking and opinion, that we have a right to ask about private conversations between individuals in regard to such matters.

Rev. Mr. Noyes—The defendant is quite willing that such testimony as has so far been offered should go in.

The Moderator—The Moderator does not feel called upon to rule such testimony out of order in the absence of any objection upon the part of the defendant.

REV. MR. NOYES.

Q. I do not refer, Mr. Thompson, to the publication of the charges, but to the publication of the doubts, that come to currently rently called as such?

A. My recollection is that my conversation with Prof. Swing was subsequent to the publication of that editorial.

Q. Did Prof. Swing indicate to you that there would be any difficulty in coming out in the face of that public arraignment and pleading to it one way or the other?

A. Yes sir.

Q. I will ask you another question, Mr. Thompson, whether you, in this conversation —at any time during your interview — said to Prof. Swing that you personally were satisfied with his orthodoxy?

A. During the conversation Prof. Swing stated his views, as I remember it, upon certain points, which were, as I remember, clear and explicit: and with which statement I expressed my satisfaction. I do not know that the word orthodoxy was used in connection with it.

Q. Did you make any request to him at that time that the views that you drew out from him — make any request that he would publish those views?

A. I am not certain, sir, whether I suggested his publishing those views or not. My impression is, that those were among the views that we had in mind as we talked it over, that it would be well if it were made public.

The Moderator—I beg leave to call the attention of the court to one point as to the examination of witness: That questions shall be asked first by the counsel for the prosecution; second, by the accused or his assistant counsel; third, by the moderator, if desired; fourth, by any member of the court, if desired. I speak of that as refreshing the memory of the Presbytery, so that after the defendant's counsel have asked their questions, it is competent for any member of the judicatory, if he wishes to, to ask the witness a question.

Rev. Mr. Trowbridge—I would like to ask the last witness one question.

Q. (To Rev. Mr. Thompson.) You stated, Mr. Thompson, that Prof. Swing satisfied you by his replies upon certain points of doctrine, if I understood you rightly; my question is, whether those points were those, substantially those upon which he is now called in question?

A. They were some of them, sir. I do not now recall with sufficient distinctness, either, what those points were; nor do I just now know all the points upon which he is now called in question.

Q. They were these, however, that have been suggested as dubious?

A. Perhaps I may say, sir, in reply, that my recollection is clear concerning one of them, because Prof. Swing read me an extract from an unprinted sermon, which was especially impressed upon my mind, viz:—"The Divinity of Christ."

Rev. Mr. Glenwood—I would like to ask whether the witness means by divinity the deity of Christ?

A. I should not quarrel with the questions about those words.

Q. I asked the question, sir, because those words have been made a point of inter-

rogation in this trial. I understand that you were satisfied that Prof. Swing believed in the deity of Christ?

A. There could be no question of it, if he used words at all in the ordinary sense of them.

Rev. Dr. Patterson—I would ask brother Thompson whether he did or did not express his cordial agreement on the points spoken of with Prof. Swing—the points of doctrine?

A. Prof. Swing stated, as I recollect, his belief in the divinity of Christ, as one of the points, and one or two others that I do not just now recall; reading, as I have said, an extract from an unpublished sermon as an indication of the unequivocal way in which he sometimes stated the doctrine, and of course, on this statement I would agree with him.

Testimony read and approved by witness.

(Signed,) CHAS. L. THOMPSON.

Rev. Dr. R. W. Patterson was sworn and being examined by Prof. Patton, testified as follows:

Q. Dr. Patterson, will you be kind enough to state whether you ever heard Prof. Swing preach.

A. I have heard him four or five times.

Q. In the sermons which you heard, did he bring out the doctrine which we call the "Evangelical Doctrine;" I mean the doctrine of salvation through the blood of Christ—in any way to satisfy you?

A. In one of the sermons he did bring out that doctrine in a way to satisfy me that he distinctly recognized it, although it was not the point of his discussion.

Q. Strictly speaking, would you call the sermons which you have heard him preach, gospel sermons?

Rev. Mr. Noyes—I think that question does not contemplate any evidence; it is simply an opinion; it is asking a criticism upon Prof. Swing's sermons from the witness.

Prof. Patton—I will not insist upon the question, sir. Dr. Patterson, did you ever express in conversation, your difficulty in understanding what Prof. Swing means in his preaching—your dissatisfaction with it?

A. I have sometimes expressed myself as not understanding him and wishing that he would be more explicit; not only on doctrinal questions, but other questions; no more on doctrinal questions, than any other question.

Q. Are you the author, Dr. Patterson, of a letter published in *The Interior* of Feb. 26, 1874, in which the following passage occurs: "Nor would I appear as an apologist for Prof. Swing's peculiar style of preaching. So far as he avoids a clear and unequivocal statement of the central doctrines of Evangelical Christianity, his preaching seems to me seriously defective."

A. Yes, sir; I wish to say however that in the remark "in so far as he avoids," I did not mean to indicate that I thought he did studiously, or intentionally avoid; but so far as he did, I should regard that judgment correct.

Q. Do you think that there was reason for saying that he does avoid it? Does that statement mean to imply that he does avoid it?

A. No; I did not mean to imply that; but in so far as that was true, if it is true, I should regard it as a serious defect in any man's preaching.

Q. Would you make such a statement in respect to any man's preaching of whom you had no doubt of his avoidance of mention of these doctrines?

A. If a man were distinguished for explicitness and clearness on those points, perhaps I might not; but I would not imply that I should regard him as being any more defective on that point than I would mean to imply that a man was defective in his style of preaching who should always insist upon divine sovereignty and election, to the great dissatisfaction of his hearers.

Q. But still admit that he was as defective as one who—

A. Yes, sir; but I would not regard either as any occasion for accusation.

CROSS-EXAMINED BY REV. MR. NOYES.

Q. I would ask you, Dr. Patterson, how many times you have heard Prof. Swing preach?

A. I have about five times; possibly more.

Q. Were any of these sermons that you have heard him preach of a special character missionary or otherwise?

A. Yes, sir; one was a missionary sermon, and another of a special character; I have forgotton now what the subject was. They were none of them sermons that were on subjects that would naturally lead to any doctrinal discussion, except one, and in that I saw no peculiar defect.

Q. Do you know of any rule which prescribes in the Presbyterian Church, the num-

ber of times that a minister shall preach upon the distinct theme of salvation by the blood of Christ.

A. I have not come across any.

Mr. Ely—I would like to ask a question: Doctor, have you not expressed your regret several times at the indefinite manner in which Professor Swing stated his doctrinal convictions?

A. I do not know as that is a proper question. I am, however, very willing to answer it. I have not in that form. I have said that I wished that he would preach his doctrinal views somewhat more distinctly. I do not know whether I have often said so or not. I know I have said so. As we are very apt to speak in regard to ministers who differ from ourselves as to their mode of preaching; not implying that our style of preaching is any better than theirs, but only expressing our own convictions.

Rev. Mr. Noyes—I would like, if I may have leave to do so, to ask ——

A. I would like to add in regard to that point, that I do not think that I have ever said anything in the way of finding fault with Professor Swing, but merely in casual conversation, as all ministers are accustomed to speak.

Q. I would like to ask Dr. Patterson if he has ever had any personal conversation with Professor Swing in regard to the points on which he has been accused of being unsound?

A. I have.

Q. Have you ever had any conversation with him in regard to the inspiration of the Scriptures?

A. I have taken special pains to ascertain his views on that point, and have drawn out from him a full impression of his views. A very full expression with which I was satisfied—to the effect that he accepted the whole of the Scriptures of the Old and New Testaments as being divinely inspired in the same sense in which I hold the doctrine myself.

Q. In this conversation, or in these conversations, if you have had more than one, did the question of the divinity—or, as that seems to be regarded by the prosecutor as an ambiguous word, the deity—of Christ; did you ever discuss that doctrine with him?

A. I did not at the same time I conferred with him upon the subject of inspiration, for that took the whole of an entire sitting; and he expressed himself, as I understood, very unequivocally, his belief in the Supreme Divinity, as I am accustomed to express it, of Christ, or the Deity of Christ, in the ordinary Evangelical sense.

Q. Without asking separate questions in regard to each of the Evangelical doctrines, let me ask, putting them all into one question, whether you went over with him, or drew out from him any expression of his views upon the doctrines of our Church which we hold specially, in common with other Evangelical doctrines?

A. I went over with him all the points about which the editor of *The Interior* expressed doubts; and asked him his opinion specifically with regard to each one of those points; and he satisfied me fully that he entertained Evangelical views with regard to every one of them.

Mr. Wakeman—Did you not state to him, and others, at different times that you were satisfied with his views?

A. Yes, sir.

Mr. Walker—I would like to ask what made you go to see Professor Swing upon this point?

A. After his expression of doubts in *The Interior*, I felt it my duty as a Christian brother, to go to him, as I thought any one else hearing of such things, who had equal opportunity and professed to be a friend, should have done.

Mr. Ely—Doctor, allow me to ask you whether you found it necessary, prior to that time, to hold conversation with Professor Swing in reference to these questions?

A. Nothing in reference to the points about which the doubts were expressed in *The Interior*.

Q. I mean with regard to his public utterance, whether you did not hold his general preaching, whether you had not prior to that time, and whether you have not stated to others that you did hold a private conversation with him?

A. I have no recollection of ever conversing with him in regard to his mode of preaching prior to that time. I have forgotten whether my conversation with him in regard to inspiration was before or not; for I did not understand Professor Swing correctly at first in regard to the subject of inspiration; and for that reason I wished to converse with him.

Q. Your opinion, then, has changed with reference to his soundness on that question?

A. I will not say my opinion, for I had

no matured opinion. I was undecided.

Q. Well, your impression?

A. I was in doubt what his views were at first.

Q. Your impression had changed?

A. Yes, sir.

A Member.—Doctor, may I ask a question, sir, whether, within a comparatively recent time, in order to designate the time, since the question in reference to Dr. McKaig has arisen, you stated to one of the elders of his church that you considered Dr. McKaig and Professor Swing equally guilty in this, that they were both digging out the foundation of the gospel?

A. I never made any such remark, neither directly nor by implication, to any person at all.

Mr. Brobson.—May I ask you a question? You say you had some conversation with Professor Swing in regard to the Old Testament? Did you ever hear him use the word "eclecticism" in relation to the matter?

A. Well, that was one of the points on which I did not know what he really meant, and which he explained to me.

Q. Do you know what he means by that expression?

A. Yes, sir.

Q. Do you know whether he understands, in the use of that term, that he has a right to pick out one word of the Bible which he does not like, and throw it aside, and then select something or other that will meet his views and feelings better than that one?

A. No, sir. I understood him to say this, that by eclecticism he means not that we might select some part as inspired, and cast aside some other part as uninspired; but that he thought some parts of the Old Testament had answered their direct uses, and were superseded by the New Testament; and in that sense he uses the term "eclecticism"—an eclecticism of use or application; not in regard to inspiration.

Q. Well, with regard to that part of the Old Testament which speaks of the destruction of the surrounding heathen nations, did he say that he thought that was worse than some of the cruelties practiced by the Indians upon their prisoners—something of that kind?

A. I don't recollect any expression of that kind. But I do recollect that he at first expressed himself in regard to the imprecatory psalms in a way that raised some question in my mind as to what he meant; and afterwards, when I conversed with him fully, I was satisfied there was no ground for any doubt in regard to that point. He expressed himself by saying he thought our Saviour had repealed the imprecatory psalms in their application to Christians. And I understood him as making a comparison between the treatment of that subject by our Saviour, and his treatment of the law of divorce which was given by Moses; and although I did not agree with him exactly in regard to the use of the word "repeal," I thought his idea was substantially correct.

Q. Well, did he seem to convey the idea—

The Moderator.—In the judgment of the Moderator this subject has now been sufficiently drawn out. There must be, evidently, some limit in questions.

Dr. Blackburn.—I would like to ask Dr. Patterson:

Q. When you understood Professor Swing to hold the Deity of Christ, did you understand him to hold the Sabellian view of the Deity of Christ?

A. I asked him on one occasion explicitly about that; he said he did not hold the Sabellian view; that it was a mysterious subject, and he did not undertake to define the Trinity, but that he thought there was, as I understood him, a foundation in the divine nature for the distinction of Father, Son and Holy Spirit.

Q. Perhaps I may be repeating the question; but, did you understand that distinction to be the modal one or a personal one?

A. I understood it to be a distinction in the divine nature, and not merely in the form of manifestation.

Mr. Wood.—I simply want to ask the Doctor whether he has had any conversation with Mr. Leonard, an elder of the Ninth Church, in his office at No. 70 La Salle St.

A. I have had various conversations with him. I do not remember any conversation with regard to Professor Swing.

Q. In the office in which the general conversation—perhaps I may not say the general conversation because I do not know all about it; but in which the point concerning the imprecatory psalms was being spoken about?

A. I may have had such a conversation, but I have no recollection of it now.

Testimony read and approved by witness.

(Signed,) R. W. Patterson.

Rev. James H. Trowbridge was sworn, and being examined by Prof. Patton, testified as follows:

Q.—Is that your hand writing? [Handing paper to witness.]

A.—Yes, sir.

Prof. Patton then read the paper as follows:

"Office of the *Interior*, 151 West Wash-
"ington street, Chicago, October 2, 1872.

Rev. Jno. Crosier:

Dear Bro:—Yours containing $2.00 is re-
"ceived. As to Brother Swing's sermon, the
"notice of it was taken from the report in
"*The Times*, and how much it was obscured
"or misrepresented I do not know. Swing
"is a queer genius. He probably would not
"let us have his MS. We, who *know* and
"*love* him, believe he is all right at bottom,
"and yet he troubles us a good deal by his
"*dubious* or one-sided statement of things.
"But he gets hold of men that no one else
"can reach, and we don't wish to harrass so
"able and *good* a brother, unless we are com-
"pelled to. I don't know but he will force
"the Presbytery to call him to account, but I
"*know* he regards himself as orthodox.

"Yours, fraternally,

"J. H. Trowbridge."

CROSS-EXAMINED.

By Rev. Mr. Swing.—Where do you reside, Mr. Trowbridge?

A. I reside at Riverside, at the present time, sir.

Prof. Swing.—That is all.

Mr. Noyes.—I have not the slightest disposition to be captious in this matter, but I really do not think that the letter which was read here is evidence, or that it ought to be regarded as such; it is simply a personal opinion, a criticism, which may have been made upon a very partial and inadequate understanding of the facts.

Prof. Patton.—I can explain, Mr. Moderator. By the way, we have had a good deal of personal opinion in the cross-examination of Dr. Patterson.

Mr. Noyes.—Simply as drawing out the evidence.

Prof. Patton.—The evidence is simply this: The allegation—the second specification, sets forth that Mr. Swing has excited great doubts—the effect of his preaching is to cause grave doubts to be entertained by his ministerial brethren. And the object I had in view in calling Dr. Patterson to testify, and in producing the letter of Mr. Trowbridge, was to sustain that specification. The evidence is certainly competent to do that.

Mr. Trowbridge.—I would like to ask whether the witness is permitted to say anything except in answer to questions—to explain.

Dr. Patterson.—I would ask Mr. Trowbridge what he has to say in addition to what he has already said.

The Moderator.—The Moderator would rule that the witness has a right to state anything which he considers to be essential to the correct understanding of the testimony which he is asked to give.

Mr. Trowbridge.—I wish to say only two things, Mr. Moderator, and not those unless it is proper. One, the first, is that I occupied at that time the unfortunate position now occupied by the prosecutor in this case, as editor of *The Interior*; and the second, that the letter was written a year and a-half ago, when I did not understand Brother Swing as well as I do now, or think I do.

Testimony read, and approved by witness.

[Signed] J. H. Trowbridge.

Rev. Arthur Swazey, D.D., was sworn, and, being examined by Professor Patton, testified as follows:

Q. Dr. Swazey, did Prof. Swing preach the sermon at your installation at Ashland avenue, as pastor of that church?

A. He did.

Q. Do you remember the subject of his discourse?

A. I do, sir; I do not recollect the text, but I remember the topic very well.

Q. You remember the subject, you say, sir?

A. I remember the topic very well.

Q. What was it then?

A. The topic was the Christian Ministry; and more particularly a certain idea in connection with it.

Q. What idea was that?

A. Well, not one alone, but two. Prof. Swing was getting at the influences set at work in the Kingdom of Heaven. Perhaps I shall misrepresent him, but I understood him to affirm distinctly, (as I understood him) the divine authority of the Christian Ministry. He began to dig under things a little and see what there was in human society, and what there might be in the

wants of man, which naturally brought about such an order of things, or the order of men as the Christian Ministry, and in the course of it he discussed what is sometimes called a call to the ministry; when a man says "I have a call to preach;" I mean that kind of a call. I do not mean any other call,—and made some remarks upon it which I thought were very just and appropriate.

Q. Do you remember the substance of what he said—the general doctrine that he taught?

A. In regard to that point?

Q. Yes, sir.

A. I think I do. I should not dare to affirm contrary to the memory of any one else, but I think it was this: And, indeed, I am quite sure that there were persons who seemed to think that they had a special call. He spoke, not of the real call of God, but of the superstition and idea—as where a man gets up some morning and says, "I have got a call to preach;" that the real call was not of that order; at least, so I understood him.

Q. Did he say anything—did he draw an analogy between the ministry and the professions of life?

A. He did, sir, if I remember right.

Q. Do you remember any of his illustrations, or the course of that analogy?

A. I do; but how accurately, I would hardly be willing to affirm. I remember this much: He took the ground that the Christian ministry could not die out; that it was rooted into the very wants of human society; and if there were no provision made of a divine character for an order of men to preach, there would be nevertheless such an order; it could not die out.

Q. On what basis did the Christian ministry rest, according to your recollection of that sermon?

A. I don't know as I understand your question, sir.

Q. Did you understand him to teach that the Christian ministry is a divine ordinance?

A. I understood him to be discussing that particular question, but I understood him to affirm and to assume—I cannot say positively that he affirmed it, but he assumed it, certainly, (to me.) I will say—if it is proper for anyone to say anything beyond the question, that when I heard doubts raised about the orthodoxy of that discourse, I was somewhat taken by surprise. I think I know what the common idea of the divine authority of the Christian ministry is, and I did not hear anything at that time which led me to raise any question on that point.

Q. Would his sermon be in harmony with this provision: "Unto this Catholic, visible church of Christ, his common ministry, oracles, and ordinances of God, for the gathering and perfecting of saints in this life to the end of the world?"

A. So far as I understood, it would entirely. Here I will say to the prosecutor that I have looked at the words he has just spoken, to see whether the words even would seem to contradict my ideas of his discourse.

Rev. Dr. Patterson: I would like to ask Dr. Swazey a question, whether he recollects that Dr. Robert Patterson, after the sermon in his charge spoke, not only in a complimentary way, but expressed gratification in regard to the sermon to which the congregation had listened.

A. I do not know that I did in any way peculiar; I remember this: that there was general gratification expressed, not only by myself, but by others. I am not sure, but I think that Brother Mitchell gave a kind of semi-approbation, as he gave his charge to me, of what he heard, not in way of approbation, but of general satisfaction and enjoyment. I remember of Robert Patterson expressing gratification; but upon what point I do not at this moment recall.

Rev. Mr. Trowbridge: Did he express any dissatisfaction with any part of it?

A. Dr. Robert Patterson?

Q. Yes, sir.

A. He expressed general satisfaction, but I may have misapprehended Dr. Patterson's question. I suppose, from the shape of his question, that he meant on the point at issue—whether he expressed anything which would indicate any judgment or conviction about the authority of the Christian ministry.

Rev. Dr. Patterson: I mean whether he expressed general satisfaction with the sermon?

A. He did, sir; I remember that; or that is my impression at any rate.

Mr. Wakeman: Did he express anything that would lead you to suppose that he did not believe that God by a special Providence led men into the ministry?

A. Well, I have heard a great many sermons upon the Christian ministry, and I never heard any sermon that seemed to me

to go more nearly to the New Testament basis. But I see how anybody who had a peculiar kind of thought about it—about preaching—should raise some sort of a question, viz.: because he was digging under, and getting at the radical idea of human walks of society; and it never occurred to me, and I do not believe it did to any other intelligent and unprejudiced person in the room.

Prof. Swing: Brother Swazey, did it not seem to be the effort of the preacher to find the reason why God called a man into the ministry?

A. I so understood it.

Q. It has been thought by some that opening a Bible and finding a certain text, or wearing a white cravat, constitutes a minister; did I not try to find a broader basis than that?

A. I so understood it.

Testimony read, and approved by witness.

(Signed,) ARTHUR SWAZEY.

W. C. Goudy, Esq., was sworn and, being examined by Prof. Patton, testified as follows:

Q. Mr. Goudy, did you ever hear Prof. Swing deliver a discourse on the subject of the Christian ministry?

A. I did.

Q. Where was that delivered, sir?

A. At Standard Hall.

Q. Will you be kind enough to state to the Presbytery the idea of that sermon so far as you remember it?

A. Mr. Swing set out to describe the organization of society, its division into classes, and the selection by different members of society of avocations and pursuits. He spoke of the selection of a profession by the lawyer, or the business of the merchant and others, and also of the minister. I understood him to say that the minister selected his pursuit in life in the same way that the lawyer selected his and the merchant his, for the purpose of fulfilling his duty to society as a minister; and that each was bound to work according to his opportunity for the welfare and happiness of mankind. I also understood him to ridicule the idea of a call to the ministry; whether a special call or not, I am not now able to say, but it was language of ridicule against the idea that any man had a call to preach. He also, according to my recollection of it, ridiculed the ordinance by which the minister was ordained to preach. The language by which this was done, I cannot undertake to repeat from recollection. It is only the general points of the sermon that I remember.

Q. If you were to be governed in your views of the Christian ministry by the teachings of that sermon, what would you believe respecting Christianity generally; what would be your opinion of it?

A. Well, sir, I don't know that I can answer that, it being a mere matter of opinion. I understood him to preach the doctrine that the minister was just like anybody else in selecting his pursuit, except that he claimed that the minister—the occupation, or the pursuit of the minister was—the most important in society; it was the highest in grade because its opportunities were higher; compared it with the influence of the press, if I remember right, and other professions and business; and that it had access to the ear of everybody; and from the opportunities it had, it was the highest in rank of all the different pursuits and professions of life.

Q. You understood that, then, to exhaust the idea of the ministry as taught by him?

A. Well, that is what he said.

CROSS EXAMINED BY PROF. SWING.

Q. I would ask Brother Goudy, Did I not state the reason that the hands of the pulpiteer were so valuable was because the hands of all society were resting upon his head beyond the pulpit?

A. I don't remember that expression.

Q. I am sorry. Do you think that Washington was called to be the leader in the American republic—was called of God.

A. Well, sir, I cannot pretend to express any opinion upon that. It is a question of ethics that I do not pretend to testify about. I will testify to any fact that I know.

Q. I think my idea was, was it not, that God calls every man to his office.

A. I think that idea was held out.

Q. But that this calling of the clergyman was the highest and holiest because it was the highest office?

A. I understood it to be distinctly stated that the office of the clergyman was the highest in the grade or rank of any other pursuit in life.

Mr. Noyes.—You understood the defendant in this case, Mr. Goudy, to state that God called every man to his work?

A. Yes, sir; and that every man had his

position assigned to him in society, he having the option as to what he should elect to do—determine for himself.

Q. And that, therefore, God called men to the ministry?

A. In the same way that the merchant and the lawyer were called to theirs.

Q. But still it was God who called him to the ministry?

A. Well, sir, I cannot say that. I understood it to be that every man of his own choice selected his own pursuit. I did not understand that he repudiated the idea of providential direction at all or any of them.

Q. Did you understand him to repudiate the idea of any spiritual direction?

A. I did.

Q. Or influence?

A. I did.

Q. In what way, then, did you understand him to say that God called men into this profession or that; how did he call them?

A. Simply in the way that all human affairs are directed by God.

Q. Well, did you understand him to teach doctrines on that point in conflict with the Confession of Faith which we have heard?

A. I don't know, sir, what the articles of the Confession of Faith are on that question.

Q. You were in the house when the prosecutor read from the Confession of Faith on that point?

A. I did not hear it, sir.

Q. I understand you to say, Mr. Goudy, then, that the doctrine of that sermon was that God called men to the ministry?

A. I repeat again that I understood him to say that the minister selected his pursuit precisely as the merchant or the lawyer selected his.

Q. You testified a minute ago that you understood him to say that God called every man to his work, of whatever sort it may be?

A. As God directs all human affairs.

Q. Well, if he taught that doctrine then, you certainly understood him to teach that God called men to the ministry?

A. I understood him to ridicule the idea that any man had a call to the ministry.

Q. How could that be?

A. I remember now that he referred to the case—told, perhaps, an anecdote or supposition that some young man opened the Bible and read a passage, and immediately considered that his attention was called to that verse by God, and therefore it was a divine revelation to him, and he must, therefore, if he read: "Go speak the gospel to all the people," think that he was called to preach.

Q. But if God called every man to his work, how could the sermon teach otherwise than that he called men to the ministry?

A. I am not theologian enough to know the difference between a call general and a call special. But I understood him to distinctly deny that God had any special or divine agency in calling or setting apart any man to the ministry.

Q. Did I understand you a moment ago to say that he calls all men to their work; and, if so, how could he deny that he called men to the ministry? The larger proposition includes the less.

A. I have not said that I know, and I do not intend to say that he called all men to their several pursuits, any more than Providence directs and controls all men in their actions.

Professor Swing.—I think, Mr. Goudy, that I remember now the illustration. Did I not say that some open a bible saying that "whatever verse strikes my eye I will now follow; and opening the bible and coming to these words: "The Lord hath need of me," he considers that a call to the ministry. Did I not ridicule that kind of a call?

A. I think so.

Q. And do you yourself think that would be a genuine call?

A. I am not theologian enough to answer.

Mr Ely.—Mr. Goudy, I understand you to say that Professor Swing in this sermon ignored the idea of an inward spiritual call to the gospel; is that the understanding—to the ministry—an inward spiritual call to the ministry?

A. That question is more refined than I am able to answer. I can only say that he repudiated the idea, as I understood it, that any man had a special or divine call to preach; but placed it precisely upon the ground, as I understood it, of a man selecting the profession of the law, or the merchant of the sale of goods. That is the way I understand it.

Mr. Brobston.—Did you get the idea impressed upon your mind, from what Mr. Swing said in that discourse as you heard it

at that hall—did you get the idea that one man is just as good as another with regard to the ministry, and that there was no particular impression made upon his mind, or influence of the spirit to direct him about his profession?

A. I understood that there was no particular influence brought to bear; but that it was in society the top of the heap.

Q. Just as a man that in some mercantile business—he has a disposition to engage in that business—or a blacksmith, like our good brother—what's-his-name—take hold of the anvil and sledge hammer and when the iron is very hot and heated to a white,—he would take an anvil and strike it down?

A. Well, I am not capable to make an analogy between his sermon and the case proposed.

Rev. Mr Trowbridge.—I would like to ask whether you understand that to be the same discourse that was testified to as having been preached at Dr. Swazey's installation.

A. I did not hear the sermon preached at Dr. Swazey's installation.

Q. You heard something said about it?

A. If I take Dr. Swazey's description of the sermon as I heard him tell about it, and the one that I heard, I should say it was a different sermon.

Q. Well, sir, so should I, and therefore I want to find out whether it was the same sermon or not.

A. You have the same means of judging that I have.

Q. Of course, I don't expect you to testify to anything you don't know.

Rev. J. F. Matthews.—I understand you to say that you understood Porfessor Swing to say that the minister chose his profession because he considered it his duty to do so?

A. No, sir.

Q. Well, I will take the report, I think the official reporter's notes will verify me in my impression. I would like to know whether I am mistaken or not.

A. I don't remember whether I used the word.

The official reporter read the witness' testimony on the point referred to.

Q. Isn't it probable—do not many ministers enter the ministry, evidently because they considered it their duty to society; and that this sense of duty comes from the spirit of God?

A. I am not a minister, and I do not know what influences their minds when they enter.

Q. Isn't it very probable that that would be considered a definite call?

A. When I selected my own profession, I followed what I conceived to be my convictions of duty to society.

Mr. Wakeman.—Was it the idea of Mr. Swing that in both of these cases, of the minister and the lawyer, that each should decide it as a matter of duty?

A. That is the way I understood it.

Mr. Matthews.—What did Prof. Swing, according to your remembrance, teach upon that point?

That is what I want to get at.

A. I understood him to say that every member of society had certain obligations to the other members of society; that he had a duty in life to perform, and a work before him, and that the minister selected his profession in order to fulfill that duty, precisely as the other people selected theirs.

Rev. R. W. Patterson.—Mr. Goudy, I would like to ask whether you understood Prof. Swing as repudiating the idea of a call to the ministry in any other sense than this: That he repudiated the notion of some special impression being made upon the mind of a man aside from his circumstances and the indications of Providence, to lead him into the ministry?

A. I understood it to be more than that, sir.

Rev. Dr. Swazey.—I would like to ask, Mr. Goudy—I am not sure we heard the same sermons—but if in the sermon that you heard there was any distinction made, I mean by implication between the call and the divine authority of the order of the ministry?

A. I don't understand that question.

Q. Let me explain; a man enters into the Episcopal ministry, if you please, that is supposed to have a peculiar sanction, and he receives his authority when he enters by the laying on of the hands of the bishop, now, he is moved before he goes in, by some authority; he has a kind of a call to the Episcopal ministry beyond that which he derives from the bishop. I want to know now whether, according to your understanding, you noticed in the discussion, any distinction between the authority of the Christian ministry and the call of which you have been speaking?

A. I understood him to repudiate the idea of any special action of God in calling a man to preach; and afterward he alluded to the ordinance itself by which a man was ordained; but I do not remember the precise words, but I remember that he ridiculed it and held out his hands and said "just as if any virtue dropped through the fingers in the ordination service." I understood him to repudiate the idea that there was any ordinance which had any virtue in it.

Testimony read and approved by witness.

(Signed,) W. C. GOUDY.

Rev. Dr. Patterson. — I do not know whether it would be in place or not, but I suppose the Presbytery would indulge the question to Prof. Swing himself, whether this was the same sermon that was preached at the installation of Dr. Swazey.

The Moderator.—If there is no objection to that question being asked, it may be done.

Prof. Swing.—It was the same sermon, and I am sorry I have not a copy of it. I do not remember definitely what was in it, and hence I would not want to intimate that Mr. Goudy has not given the purport of it. I could not say—I have not got it.

The Presbytery then adjourned to meet on Wednesday, May 6th inst., at 10 A.M.

Closed with prayer.

Wednesday 6th, 10 o'clock A.M.

The Presbytery met and was opened with prayer by the Moderator.

After preliminary business.

Henry G. Miller, Esq., was sworn, and being examined by Professor Patton, testified as follows:

Q. Are you a member of the Fourth Church?

A. No, sir; I am not.

Q. Have you ever been a member of the Fourth Church?

A. I was a member of the North Church prior to the union of the North and Westminster Churches.

Q. Did your membership continue after the union?

A. It was terminated very shortly after the union of the two churches.

Q. Up to what time were you a hearer of Professor Swing?

A. I think it was about June, 1871.

Q. During the course of your membership in that church under his preaching, did you ever hear him preach a sermon on the subject of the Christian Ministry?

A. Not during that time.

Q. Mr. Miller, would you be kind enough to state the doctrine of that sermon? Did I understand you to say you heard that sermon?

A. He did not preach such a sermon while I was a member of that church.

Q. You had left the church?

A. I heard him preach a sermon at Standard Hall during the month of December, 1871, or the month of January, 1872. In this discourse the subject of the ministerial calling was a prominent one, and I think it was the leading subject of the discourse; I think it was the only topic.

Q. Be kind enough, Mr. Miller, to state the doctrine of that sermon, to the best of your recollection, as it effects the Christian ministry.

A. I cannot, from recollection, reproduce the frame-work of the discourse so as to convey to the mind, perhaps, the way in which the topic was treated. The substance of it was—to state in few words—that a call to the ministry was rather determined by the natural fitness of the person for that vocation than anything else.

Prof Patton.—Proceed, Mr. Miller.

A. That was the aspect in which it was presented in that discourse. The idea of the Divine appointment and consecration—Divine consecration to this office—was not referred to, as I recollect it, and the discourse was of a nature which would lead me to suppose that he was not taking any special view of the subject, but rather covering the whole ground. In other words, the ministerial call was regarded or treated as of the same character as the call of any person to any professional pursuit, and therefore it was determined more by the natural fitness of the person for that pursuit, as he could discover it, than anything else.

Q. Was there any distinct analogy between the other professions of life and the Christian Ministry?

A. Other professions were spoken of—the call of a lawyer to his profession, and a merchant to his—although that, perhaps, is not a profession, but they were spoken of in the same way and in the same light.

Q. Was there any reference in that sermon to the idea that the origin of the Christian Ministry is the result of a division of

labor—that the necessity of the case called for a class of men to be ministers? Was there any idea of that sort?

A. There may have been, and I think he did state that the necessities of society originated this division of labor. He rather gave a secular view of it.

Cross-examination waived.

Rev. Dr. Swazey.—I would like to ask Mr. Miller a question. Did you understand Professor Swing, in that sermon, to make a distinction between the call to the ministry and the order of the ministry?

A. I don't recollect of his alluding to the subject of the order of the ministry.

Rev. Mr. Trowbridge.—Please state, in your recollection, whether Mr. W. C. Goudy was present on that occasion.

A. I don't know whether he was present or not.

Rev. Glenn Wood.—I would like to ask if you understood from that discourse that Mr. Swing conveyed the idea that God directs all men who look to Him for direction, and that a Christian man has as much reason to expect God will direct him to any line of business, as the man who may be directed to the ministry has to expect that God will direct him there?

A. I do not think the subject was brought out in that way at all.

Q. I want to know whether the subject was treated in a way that gave you that idea.

A. My idea about it was that everything of a divine nature was eliminated, or left out, and it was presenting the subject in a view that I had never been accustomed to regard it.

Q. Allow me to ask the question, was not the subject so treated as to convey the idea that the Divine mind manages all the affairs of men?

A. No, sir; that was not the idea he was endeavoring to impress, as I understood it. That is an idea that is frequently enforced by ministers.

Rev. Dr. Patterson.—I would like to ask whether there was anything in the sermon inconsistent with the idea that God does order the affairs of men, and directs them all to their several pursuits?

A. Well, that feature of the Gospel ministry was entirely left out. I do not know but he spoke of a sense in which men were called to their different vocations, but it was putting all professions on the same plane, as I regarded it. I thought that was the leading idea of the discourse.

Rev. Mr. Walker.—Was it the idea of the discourse, as it impressed your mind, that what impressed a Christian man to enter the ministry was the want in society, for work of that kind?

A. Well, he may have alluded to these social wants. He may have done it in that way. As I said before, I would not attempt to reproduce the sermon. I can only speak of the impression which it produced on my own mind, as I now recollect it. Of course, if the sermon had been printed it would be much more valuable to the Presbytery than the memory of witnesses about it; but those were my ideas about the sermon, as I recollect it.

Rev. Dr. Patterson.—Your memory is not very distinct in regard to it?

A. My memory is pretty distinct in respect to what I have stated; I think, quite distinct.

Q. Suppose a man had not a natural fitness for the ministry, do you suppose he was called at all?

Q. Do I suppose?

Dr. Patterson.—Yes.

A. I would not attempt to answer that question.

Prof. Swing.—I have learned, indirectly, that the manuscript of the sermon was given to *The Inter-Ocean* after that service, and it is likely that the old files of *The Inter-Ocean* would produce that sermon. My impression, however, is that Judge Miller is cutting very close to the real sermon.

Rev. Dr. Halsey.—Did the sermon contain the idea of a special call or designation to the ministry differing from other callings?

A. It did not, as I recollect. No where in the sermon was any such distinction made.

Rev. Dr. Hurd.—How long since did you hear that sermon?

A. I think it was in December, 1871, or January, 1872.

Rev. Mr. Noyes.—Have you read any abstract of it?

A. No, sir.

Q. Recently, or at any time?

A. No, sir.

Elder Barber.—I would like to ask Mr. Miller if he would now be better satisfied with the statements of the sermon as printed,

than on his own memory as to the statements of the sermon.

A. Unless the sermon as printed would convey some such idea as I am trying to convey, I would not be satisfied with it, because my recollection of it is very distinct. Of course, men might draw different conclusions; they might view it differently, but that is the way I received it; that is all I can say.

Testimony read and approved by witness.

(Signed,) H. G. MILLER.

GEORGE A. SHUFELDT, ESQ.,

was then sworn, and being examined by Professor Patton, testified as follows:

Q. Will you be kind enough to tell the Presbytery whether you ever received a letter from Professor Swing in respect to the five points of Calvinism?

A. Well, sir, sometime in the year 1867, or the early part of 1868, I published an article in the Chicago *Tribune*, criticising a sermon that had been delivered by Professor Swing, and in that article attacking the dark side of Calvinism. Mr. Swing wrote me a personal letter.

Q. Have you that letter?

A. I have not—neither of them. Several of them passed between us. The letters were destroyed in the fire of 1871. All I can say about it now is my recollection and impression upon the subject.

Q. Will you be kind enough to give us your recollection?

A. Mr. Swing replied to that published letter, stating that a public discussion of those matters would probably be interesting neither to us nor to the public; and I think he said if I had anything to say on the subject he would be glad to hear from me. I then wrote him another letter, in which I made a repetition of these charges, stating, as I remember, that to me the Calvinistic doctrines, while they might have been tolerated in the sixteenth century, were unworthy of the intelligence and advanced condition of the human mind to-day; that I did not understand how it was that a man who had a ray of intelligence could believe in these things; that they were monstrous to man and repulsive to God; that I did not believe any man did believe them unless he was schooled in the ruts of a dead theology, and had not reflection enough to get out of them. Mr. Swing answered that letter, and I think he drew the form of a tree grounded, as I recollect, in the Christian Church, and the body of the tree was the Christian religion, and the branches were marked, or marked off as off-shoots, these doctrines of Calvinism; among others was predestination, absolute total depravity, predestination or election, salvation by grace, perseverance of the saints, infant damnation, and other things which were out-growths. He enumerated, or he mentioned, several of these points which he had long since repudiated. Which ones these were I do not now remember particularly. I think that he denied the doctrine of the absolute total depravity of man, if there is a qualification, salvation by grace he did not repudiate. Infant damnation he did. I think that there were three of the points that were repudiated.

Q. Was there any reference to the five points of Calvinism?

A. Well, I think the five points of Calvinism were embraced within the branches of this tree.

Q. Do you remember whether he distinctly denied one or more of these five points?

A. Well, I think that Mr. Swing was speaking in defense of the church, from the attacks that I had made upon it.

Q. The question is, whether he denied one or more of the five points of Calvinism?

A. I do not think he used the word "denied." I think the expression was "long since repudiated," or "long since abandoned." I think that was the expression: "long since abandoned."

Q. Long since abandoned what?

A. I think that was the expression, "long since abandoned."

Q. Do I understand you to say that he affirmed that he had long since abandoned one or more of the five points of Calvinism?

A. Whether the expression was that he had long since abandoned them, or whether they had been long since abandoned, I should not like to say.

Q. Was the thing abandoned one of the five points of Calvinism?

A. Yes, sir, I think it was.

Q. Do you know how many of those points of Calvinism were abandoned?

A. Well, there were a number of things on this tree that were abandoned.

Q. Had you ever written him a letter detailing the five pointsof Calvinism?

A. Yes, sir, and I think more than five points.

Q. Did his reply refer to your reference or to your allusion to the five points of Calvinism?

A. Yes, sir, I think it did.

Q. Did he say how many of those points he had abandoned?

A. Well, I think there were three subjects named upon this tree, that he said were abandoned?

Q. Was predestination one of those subjects?

A. Well, sir, I don't remember whether it was or not.

Q. Was depravity one of them?

A. Yes, sir, I think that absolute total depravity was. I think that was qualified.

Q. Was the perseverance of the saints one?

A. Well, I don't remember whether that was one or not. I think in relation to total depravity, there was something said about there being an element of goodness in men; that he did not consider that man was absolutely totally depraved, or perhaps what might be called total depravity.

Q. Your letter to him, as I understand you to say, called his attention to the five points of Calvinism, as determined by the Synod of Dort. Am I correct in that statement?

A. Well, yes, sir; I think so.

Q. And his reply, I understand you to say, had direct reference toward the five points of Calvinism alluded to in your letter?

A. Yes, sir; I think those five points were embraced within the branches of this tree.

Q. And some of those points, I understood you to say, had been abandoned. Am I correct?

A. Yes, sir.

Q. And depravity is one of those five points. Do I understand you correctly?

A. I think, as I remarked a few minutes ago, that the question of total depravity was one of the five points, when taken in its absolute sense.

Q. Do you remember whether predestination was one of the branches of this tree, which he supposed the church had abandoned?

A. Yes, sir; I think it was.

CROSS-EXAMINATION.

Prof. Swing.—What was the object of the letter? Was it to bring the Christian religion up into a better atmosphere, or was it to ridicule it in some way?

A. Well, sir, there was nothing like ridicule on the part of Professor Swing, on the question of religion, or upon any of the points. I considered the letter as a defense of the Church, or of the Christian religion, from the attacks that I made upon it.

Q. Can you name to us the five points of Calvinism?

A. Well, sir, I think that is doubtful today.

Q. I had forgotten about that tree; but I remembered, as soon as you gave your evidence, something about it. Did I indicate certain outward limbs that were broken off?

A. Broken off or dropped down.

Q. But the main body I represented as being still living and growing, I suppose?

A. Yes, sir. I think the body of the tree was marked, "The Christian Church." Whether it was a live tree or a dead tree I don't suppose I ought to answer; but I suppose you intended it for a live tree.

Q. There were no leaves on it, were there?

A. No, sir; I think there were no leaves there.

Rev. Mr. Noyes.—Do you remember whether there was anything in the way of definition in Professor Swing's letters to you?

A. A definition of what, sir?

Q. Well, of the five points. For instance, any distinct designation of them as being the five points, or any one of the five points of Calvinism?

A. No, sir. I don't think that in the tree they are marked as being points of Calvinism. I think the branches were marked; one, for instance, predestination, and another one salvation by grace, or something in that way; but I don't think they were designated as points of Calvinism.

Q. Are you quite sure in your own mind that he rejected any of these five points; or, I would change the question: Do you think that infant damnation is one of those five points that he rejected?

A. I think you [Professor Swing] repudiated infant Baptism. I do not understand that that is one of the five points of Calvinism, although it was put there as an outgrowth of it.

Q. In your own mind do you make any distinction between election and foreordination, or predestination? Have you learned any of those distinctions in theology?

A. It is a long time since I studied the catechism.

Rev. Dr. Patterson.—I would like to ask Mr. Shufeldt, if he is sure that it was the five points that he spoke of, when he said some of those points had been abandoned. Inasmuch as he spoke of infant damnation as one of them, whether it was some point on the tree.

A. Well, sir, it was points on the tree, but those points I understand to be some of the points of Calvinism.

Q. And you included, yourself, infant damnation?

A. Well, I don't remember exactly, but my impression is that I had the doctrine of infant damnation as being a part of the Calvinistic creed, and that he stated that that was abandoned, or that he repudiated it.

Q. You cannot state, except in regard to the qualified definition of total depravity—you cannot state any other of the points that he referred to as having been abandoned?

A. Well, I think there were three—three of these definitions or points on this tree that had been abandoned. My impression is that they were. The inference that I drew was, that they were part of the five points of the Calvinistic faith.

Q. I would ask you whether you accept, in any sense, yourself, the Christian religion?

A. Well, sir, I don't think that is a pertinent question to-day.

Q. I wish to know in regard to the question of testimony, whether you believe in the existence of God?

A. Gentlemen, if you did not want my testimony, you ought not to have called me.

Prof. Patton.—Mr. Shufeldt's opinion on the subject of religion is not a question in reference to which we wish information, and that is out of order.

Mr. Shufeldt.—I have no objections to answering any questions any gentleman present may desire to put to me. Whether I have intelligence enough to answer it, is another question; but that a finite being can comprehend an infinite one, or that man can comprehend God, I do not believe. I believe in a great first principle, the Creator of the Universe, but what God is I can't tell, and I don't think any man can tell me.

The Moderator.—The Moderator would say that if any member wishes to address any question to Mr. Shufeldt, bearing upon his competency as a witness, and the ability of his evidence, it is proper for them to do so, of course, but if not, the testimony will proceed.

Rev. Dr. Patterson.—Did Prof. Swing state anything about the Synod of Dort in his letter, that you remember?

A. I don't think he did in his letter, but I think I did in mine, I don't think there was any reference to the Synod of Dort in his letter, and I don't know whether, in my letter to him, that reference was made, or whether it was in the published letter to which I have referred.

Q. Are you sure Prof. Swing referred at all distinctly to the five points of Calvinism?

A. Well, sir, that was the subject of discussion between us; I think he did refer to it in the manner in which I have stated.

Rev. Mr. Walker.—Will you please state whether he regards the matter of infant damnation as one of the five points of Calvinism?

A. I think———

Rev. W. F. Wood.—Did you, in your letter to Prof. Swing, copy the five points of Calvinism as laid down in Appleton's Cyclopedia, and did he say that three of those points were abandoned?

A. I don't remember, as I said just now, whether the five points were in my letter to him, or whether it was in the published letter.

Q. Taken from Appleton's Cyclopedia?

A. Well, I think they were taken from some account of the proceedings of the Synod of Dort.

Q. And he said he had abandoned three of them?

A. Well, with the qualifications that I put upon that answer before.

Mr. Ely.—Did I understand you to say that infant damnation was not one of those three points, but something that grew out of them. Was that the manner in which you said, Was that the substance of your statement?

A. I said this: as I remember that these Calvinistic points were made, I believe, branches of this tree, and there were several other things that were out-growths in the shape of branches and one of them was infant damnation.

Q. You did not understand then infant

damnation to be one of the three points. What was your impression from the tree, and the letter in reference to that?

A. I think that there were three, and he named matters in the branches of the tree that were repudiated, that is my impression about it.

Q. Was infant damnation only one of those, or was it an out-growth from a branch?

A. I know that infant damnation was repudiated. That was one of the matters which he said he did repudiate.

Prof. Patton.—But you do not include infant damnation in the three repudiated—the points of Calvinism—do you?

A. That I can scarcely say, sir. No; because those several things were marked as branches upon this tree, and he stated that such and such things were repudiated or abandoned by him. Infant damnation, I recollect, was one of the abandoned specifications, or points.

Mr. Wallace.—You stated that predestination of the saints was——

A. Perseverance of the saints, I meant.

Q. Did you understand him to say that he had abandoned one of these, or this particular doctrine?

A. I don't know sir. There were three things on that tree that he said had been abandoned?

Q. How many branches were there on that tree that you can remember?

A. There were a good many branches. Some were named and some were not.

Rev. Mr. Faris.—Did he say he denied, or the public had abandoned the doctrine of the damnation of infants, in such a way as to imply that it had been a part and parcel of the Calvinistic system?

A. Well, infant damnation, I think, was put on that tree as an out-growth of Calvinism. It didn't make a great deal of difference to me whether it was one of the five points or not.

Rev. Dr. Swazey.—Did you name the five points in the letter you wrote to him?

A. I think I answered before, that I didn't recollect whether they were inserted in that letter, or whether they were in the letter published in *The Tribune*.

Q. Do you recollect whether in naming those five points, either in the letter or in the article in the *Tribune*, you named them according to your own understanding of what the five points of Calvinism were, or from some accredited standard?

A. Well, sir, I think I named them from the———I do not think I wrote them down directly from any book, but I got it from my examination of the proceedings of the Synod of Dort, but I do not think in writing the letter to Mr. Swing, or to the public, that I copied them directly from the book.

Q. Do you mean from a then recent examination?

A. Yes, sir, from a then recent examination.

Rev. W. F. Wood.—So you are pretty sure you had them correct?

A. Well, sir, I don't know.

Rev. Dr. Patterson.—Was infant damnation one of these branches that Prof. Swing spoke of as having fallen off?

A. Yes, sir; that was a branch of the tree.

Prof Patton.—Was infant damnation one of three of the five points of Calvinism which Mr. Swing affirmed he had abondoned?

A. I do not understand that infant damnation was one of the five points of Calvinism adopted by the Synod of Dort.

Q. You did not understand he had abandoned three of the five points of Calvinism?

A. As I said before, there were three things upon that tree.

Rev. Dr. Blackburn.—The article to which reference was made as published in the *Tribune*—what was the occasion of that article? What I mean is this:—was it occasioned by hearing Prof. Swing preach?

A. No, sir; I never heard him but once in my life, and that was long after that time. I think it was occasioned by a published sermon of his.

Q. Was it designed to be in criticism of what Prof. Swing had preached?

A. I don't know, sir, whether it was or not. I presume it was. I might have thought he was too orthodox.

Q. Had you, in that published article, any reference to Prof. Swing?

A. I did, yes, sir; because that invited a reply from him to me,—a private answer.

Q. Can that article be found—can it be produced?

A. I don't know sir: I don't know whether it can or not.

Q. Did you understand, when you were writing that article, or publishing it, that

you were controverting what Prof. Swing had been preaching or teaching?

A. I don't remember that; it is a long time ago, and I was writing considerably on religious matters at that time.

Q. Did this reply to you convey the idea that he felt that you had misrepresented his views?

Objected to.

Objection overruled.

Exception by Prof. Patton.

A. All that I recollect of that reply now is that he said that a newspaper discussion of these matters would neither be profitable to us nor entertaining to the public, and that if I had anything to say to him he would be glad to hear from me personally. The letter was a very friendly letter, and I had never met Prof. Swing. I didn't know him personally, nor did I know him for five or six years afterwards.

Q. You understood him to have abandoned, or to have expressed an abandonment of three things on that tree whatever they were?

A. Yes, sir.

Q. Did you understand that he abandoned your representation of those things or the church's representation of those things?

A. Well, whether the pronoun "I" or "we had long since abandoned" was used, I don't remember. The impression I got from it was that these three things had long since been abandoned by the church. Whether he said "I have long since abandoned them," I don't remember. My general impression would be that he said "I," but my inference was that he was defending the church.

Q. My point is this: whether he abandoned your representation, or whether he abandoned the doctrines as would be defined in our standards?

A. Well, sir, I don't know.

Prof. Patton.—Did the letters convey the idea, that the things abandoned by Mr. Swing were things which he had once held?

A. I should think that the things abandoned had been once held by the church. That was the inference I drew from it, whether he had held them himself, or not, I don't know. I supposed this letter was written in vindication of the church.

Rev. Mr. Noyes.—That is the inference you drew from that?

A. Yes, sir, that was the inference I drew from that.

The Moderator.—Without making any reference to this tree that has been mentioned, or to the five points of Calvinism, or anything of that kind, I understand you to say that three propositions—I may name them as such perhaps—three doctrines were spoken of in Mr. Swing's letter as abandoned by him, or by somebody. Now can you state definitely what those three points abandoned were—not as being upon this tree but as having relation to the Synod of Dort? Can you describe what those three points abandoned were?

A. I don't think I can, sir; I do not think I would like to undertake that from my memory to-day.

Rev. Dr. Hurd.—You are clear that Infant Damnation was one, are you?

A. I am clear that Infant Damnation was one of the propositions declared to have been abandoned.

Prof. Patton.—But not one of the three?

A. Well, sir, as I stated it before—if it is necessary to repeat it again—I think it was one of three things marked "abandoned" on that tree.

Rev. Glenn Wood.—Are you sure that what you call Total Depravity was also one of the three things abandoned?

A. Well, I think it was, in that sense. That was my impression about it. In that sense it was.

Q. Can you tell us what the third one was?

A. Will any gentleman name the five points to me?

Prof. Swing.—I would call upon the prosecutor to name them.

Elder Barber.—I understand this letter to which you have testified, was destroyed in the fire of 1871?

A. Yes, sir.

Q. The letter representing the tree?

A. Yes, sir.

Q. Were all these main branches of the tree named or designated by name?

A. Well, I think they were.

Q. Can you give all those names from memory?

A. No, sir, I can not.

Q. Can you state how many of those branches were thus named?

A. No, sir; I can't state how many were

named; there may have been six or seven, or more, perhaps.

Q. And were those abandoned ones thus designated by writing the word "abandoned" to the name on the tree?

A. No, sir; I think they were numbered.

Q. And then the abandoned ones designated by reference to the numbered?

A. Yes, sir; I think they were numbered.

Q. We are anxious to have you, if you can, state to us the definition of those three abandoned ones, that is, the name given on the tree as abandoned?

A. As I said before, if some gentleman in the body of the Presbytery would name the five points of Calvinism in their order—

Q. That is now the duty of the witness.

Rev. Dr. Beecher.—Was Election one of them?

A. I don't remember.

Q. Predestination, Decrees, Fore-ordination?

A. Is there any difference between Predestination and Fore-ordination?

Rev. Dr. Beecher.—Yes, sir.

Rev. Dr. Patterson.—I submit that the making of recollection for the witness is not testimony.

The Moderator.—That is quite right. The witness must tell all he remembers himself, without assistance.

Elder Barber.—I also submit that much of this examination has been what we would call so directly leading as to be inadmissible. I do not know whether the rule obtains in ecclesiastical courts, that the prosecutor or any examiner has a right to put a question in such a form as to indicate the answer or not. It would not be permitted in the civil courts.

Q. Mr. Shufeldt, you cannot state the three abandoned ones from your memory?

A. No, sir, I cannot.

Rev. Mr McLeod.—Some of us are a little in doubt about this tree, and in order to do away those doubts, I should like to ask Mr. Shufeldt a question.

The Moderator.—You may ask it.

Rev. Mr. McLeod.—Were there just five main branches on the tree?

A. I think I answered that question before, sir—that my impression is that there were more.

Q. I understand you to say, sir, that there were more than five branches, but that there were not more than five main branches; that the others were out-growths from the main branches?

A. I don't know with how much artistic skill the tree was drawn. It was simply a rough sketch, and what might be called the main branches, and what might be called the less important branches, I do not know now. I could scarcely tell of that thing from my recollection to-day.

Q. The reason for the question is this, that you stated that infant damnation was an out-growth, and that it was one of the things which he repudiated. Am I right?

A. I may have stated that it was an out-growth. It was a branch. The tree was drawn up with a trunk and several projecting branches, and those different branches were marked, I remember.

Q. Then infant damnation was not one of the main branches?

A. I don't know whether it was a main one or an inferior branch.

Testimony read and approved by witness.

(Signed,) GEORGE A. SHUFELDT, JR.

The prosecutor renewed his motion for a postponement of the trial for two months in order to obtain the testimony of Rev. R. L. Collier. It was not granted. Subsequently a committee, consisting of E. L. Hurd, J. T. Matthews, and Elder Barber was appointed to present reasons for the refusal.

The prosecutor entered his dissent from this action.

The report of a sermon preached by Prof. Swing, and published in the Chicago *Tribune* of Dec. 12, 1872, and which was admitted by the counsel for the accused to be a correct abstract, was then offered in evidence by Prof. Patton, and subsequently read in his argument.

The testimony for the prosecution here ended.

The first witness called on behalf of the accused was Horace F. Waite, Esq.

Pending his examination, the hour of adjournment arrived, and the Synod was closed with prayer, to meet at 10 o'clock a. m. tomorrow, the 7th inst.

THURSDAY, May 7th, 10 o'clock a. m.

Pursuant to adjournment, the Presbytery convened and was opened with prayer. *Inter alia:*

The answer to the protest of the prosecutor

against admitting to record the questions and answers which passed between himself and Dr. Swazey, relating to Rev. R. L. Collier's testimony, was presented and adopted as follows:

To point first in the protest, viz.: "He had furnished the Presbytery an affidavit which sets forth with sufficient accuracy the reasons for asking a continuance of the case pending, and that it is not competent for the Presbytery to investigate any fact outside of the affidavit," the reply is: The court has a right to satisfy itself on the merits of all questions submitted to its decision; and is bound, if knowledge on material matters is within reach, to avail itself of such knowledge. In this case it was material to know whether the prosecutor had used all diligence to bring his witness into court. The witness in this case, Rev. Robert Laird Collier, being beyond the jurisdiction of the court, it was material to know if inquiry had been instituted whether Mr. Collier would at any time, now or in the future, respond to the citation of the Presbytery. The affidavit was insufficient, as it set forth only the fact of Mr. Collier's absence and the privacy of his papers.

To point second, "Because the answers were not given under the solemnity of an oath, and are not entitled to be regarded as evidence," the reply is: It is not necessary for the court to restrict itself on the question of continuance to knowledge obtained under oath. It may base its action on any knowledge, from whatever source obtained, which is satisfactory to itself. In this case, however, the evidence was legal, being derived from the party moving the continuance.

To point third, "Because the questions and answers aforesaid are a reproduction from the memory of the court, of a conversation which took place yesterday afternoon, in which the replies were made as a matter of courtesy, and with no idea that they were to form a part of the record of the Presbytery," it is irrelevant whether the questions were or were not questions of courtesy, so long as the answers thereto were regarded by the court as truthful. In point of fact, they were understood by the court to be its own questions proposed to a petitioner asking action of the court.

To point fourth, "Because it is the belief of the undersigned that the newspaper report of the said conversation is not correct," the reply is (a) that the questions and answers were taken verbatim by a short-hand reporter; (b) that their correctness is confirmed by the belief of the interrogator; (c) and also by the belief of the court, no member thereof at the time of making the record, or since that time, suggesting any particular in which they were supposed to be incorrect.

(Signed,) ARTHUR SWAZEY,
E. L. HURD,
J. S. GOULD.

Horace F. Waite, Esq., having been previously sworn, was examined by Rev. Mr. Noyes, and testified as follows:

Q. Did you ever hear Professor Swing preach upon the divinity of Christ, or the deity of Christ?

A. I do not remember any distinct sermon upon that subject, but I remember of its being referred to in his sermons.

Prof. Patton.—I would like to ask Mr. Waite if that was a sermon delivered from manuscript.

A. All of Mr. Swing's sermons, using the word sermon in a strict sense, are from manuscripts.

Prof. Patton.—Then I shall object to the examination of the witness. I shall call for the sermon. It is not competent for this body to receive parole testimony when we can have the written sermon.

Rev. Mr. Noyes.—We have received parole testimony here this morning, and yesterday, in regard to sermons Professor Swing has preached.

Prof. Patton.—Only upon the understanding that the written sermons could not be produced.

Rev. Dr. Patterson.—I beg to say on this subject, if I understand the facts in the case, that the large majority of the sermons preached by Professor Swing since he has been preaching to that church, have been destroyed by fire, and are not accessible.

Prof. Patton.—I would like to ask if the particular sermon of which Mr. Waite means to testify is in existence. My objection is still good.

The Moderator.—The Moderator would decide that this testimony is admissible.

Prof. Patton.—I shall be compelled to appeal from the Moderator's decision. I cannot accept parole testimony as to written sermons until the question of the existence of these sermons is settled.

The Moderator.—A very large part of these sermons is not in existence, and we cannot get at a great part of them.

Prof. Patton.—Let the examination proceed. I may recur to the question before long.

Rev. Mr. Noyes,—(To the witness). You have heard Mr. Swing preach upon the subject of the atonement of Christ—the person of Christ?

A. I have heard Mr. Swing preach ever since he commenced being the pastor of the Westminster Church, while I have been in

the city, and I have heard him in the Wednesday evening lectures that he has delivered to that church ever since that time, with the exception of during the time I may have been absent or was detained from attendance upon him.

Q. Did you ever hear him preach any sermon that produced upon your mind the conviction that he leaned, in never so slight a degree, toward the Unitarian faith?

A. On the contrary, instead of leaning toward it, I have heard from him, and once I remember distinctly—a sermon occurring before the fire—the strongest argument I ever listened to in my life, against Unitarianism, and he constantly teaches the doctrines of the trinity and deity of Christ.

Q. Have you any recollection whether that sermon drew out a reply from Rev. Robert Collyer?

A. I do not remember. I am not very much in the habit of reading the replies that are made in the newspapers, of that kind; and I may or may not have noticed it.

Q. Did you ever hear Professor Swing preach upon the subject of future retribution—the final separation of the righteous and the wicked?

A. I have, on three or four occasions. The Wednesday evening previous or subsequent to the doubts that were expressed in the *Interior*, the subject matter of the lecture for the evening was in Matthew. When that question was discussed by Professor Swing he explained it to his church, and he taught the doctrines of future punishment.

Q. Did you ever hear Professor Swing preach any sermon that was in any way in conflict with any of the evangelical doctrines of Christianity?

A. I have, I believe, all my life sat under Presbyterian preaching, and the doctrines that he has taught me have been such as I have been wont to listen to. I do not profess to be a theologian.

Q. Are you one of the elders of the Fourth Presbyterian Church of this city?

A. I am, sir.

Q. Were you one of the elders of the Westminster Church?

A. I was, sir.

CROSS-EXAMINATION BY PROF. PATTON.

Q. What do you mean by the divinity of Christ?

A. The deity of Christ.

Q. What do you mean by the deity of Christ?

A. God.

Q. What do you mean by the Trinity?

A. I do not know that I can give you an exact evangelical answer. I understand by the Trinity, that there are three persons in the God-head, co-equal with each other.

Q. What do you understand by the word evangelical?

A. Well, that is a word that has a wide meaning, and it might be difficult to define with exactness, sir.

Q. Do you regard the word "evangelical" as necessarily carrying with it the idea that a man would be acceptable to the Presbyterian church?

A. A man may be evangelical and not Presbyterian, sir.

Q. When was that sermon preached?

A. It was preached just before the union of the North Church and our Church, and he took up and showed the difference between the Unitarians and the Presbyterians, and how much better Presbyterianism was than Unitarianism.

Q. Do you remember the distinction that he drew?

A. I remember some of the points, because the argument made a very strong impression upon me. I cannot remember the language, but I can give the points of it.

Q. What were those points?

A. One of them I remember distinctly. It was this: That the Unitarians did not recognize Christ as God, but they gave to Him a large degree of humanity. Now, I do not profess to use his exact language; but the Presbyterian faith was better because it went farther than this, and not only made Him a man but a God.

Q. Did he use the word "God" in that connection—has he made Him God?

A. He used the word—perhaps the word he ordinarily used is "divinensss," or "divinity of Christ,"—using it, as I understand it, in the sense of the "deity of Christ."

Q. Did you ever hear him speak of Christ and use the word "deity" in connection?

A. I don't remember that he ever did, but I have heard him use the word "divinity" in such a sense that there could be no question but that he meant the deity of Christ.

Q. What do you understand by future punishment?

A. I understand by it what I have always been taught in the Presbyterian church, that the people are punished in a future state.

Q. Are the evangelical churches alone in believing in future punishment?

A. Well, I hardly know how to answer that question, because I have a sort of rule that I do not read much of what would be called heterodox reading.

Q. The fact that a man believes in future punishment would not exclude him from the Universalist church?

A. I don't know. I never heard a Universalist sermon in my life, but I am told many of the Universalists believe in future punishment; but it is mere hearsay.

Rev. Mr. Noyes.—It does not occur to me that this is exactly testimony at all.

The Moderator.—That is true with regard to the last two or three questions.

Prof. Patton.—I think the questions are quite pertinent. I am not going any farther. I am merely going over the ground that Mr. Noyes went over. The value of Mr. Waite's testimony depends very much upon what he knows about future punishment and the deity of Christ.

The Moderator.—I do not object on this point, to it, but to the belief of the Universalist churches.

Prof. Patton.—I want to know whether Mr. Waite comprehended that Universalists believe in future punishment.

Q. Did you say that Mr. Swing has taught the doctrine of future punishment?

A. Yes, Sir.

Q. Is that the most pronounced way in which you would express his teaching?

A. Well, he has expressed himself, I have heard him express himself, to this effect: That there is no question at all that the Greek words—this, perhaps, was in private conversation more than otherwise—that the Greek words in the Bible could not be translated, and the Bible did not teach anything else than eternal punishment.

Q. You have heard him distinctly avow his belief in eternal punishment?

A. Yes, sir.

Q. In private conversation, you say?

A. Well, in both public and private lectures—he is in the habit of familiarly lecturing to us on Wednesday evenings; taking up passages of Scripture and explaining them. The lectures are entirely oral, that is, as contra-distinguished from written sermons.

Q. Is there any difference between his lectures and his sermons in that way?

A. Yes, sir; in this one respect, that in the lectures it is less formal. I do not understand that any different doctrine is taught in the one case than in the other, but when you take up a passage of Scripture and explain it verse by verse, there is more point to it or more explanation of the Scriptures.

Q. Did you ever hear him teach the doctrine of eternal punishment in the pulpit?

A. Yes, sir.

Q. Can you recall the circumstance?

A. I cannot recall the circumstances except that I remember I was trying to think myself of how many sermons I had known him to preach on that subject. I think I can recall two or three.

Q. Do you remember the language he used?

A. No, sir, I do not.

Q. Do you remember the line of argument he pursued?

A. No, sir, I do not remember the line of argument.

Q. But you are positive that he has preached in his pulpit that doctrine?

A. Yes, sir.

Q. Is that a circumstance that you would naturally remember?

A. No, sir; because I did not question for a moment but that he taught it, and it would not make any impression upon my mind, and I was only surprised when I heard it questioned by anybody, and commenced reflecting in relation to sermons in which he had expressly taught these doctrines.

Q. You say you have heard him teach the doctrine of the trinity?

A. Yes, sir.

Q. How did he teach it?

A. Well, I can't give you the argument. If I could do so, it would be rather my statement than perhaps to use his language.

Q. Did he use the word trinity?

A. Well, I cannot give you the words that he made use of.

Q. You do not remember whether he used the word trinity?

A. Oh! he has used the word trinity repeatedly in his discourses, but I cannot give you the exact words in which he taught belief in the trinity, and in the explanation which I have given, I have given my lan-

guage. I have not sought to give his language, but I have given my language.

Q. What would you understand by the doctrine of trinity? you say he has taught the doctrine of the trinity, what do you understand by the doctrine of the trinity?

A. I am not a theologian, and I do not know that I could give that exact language that would be satisfactory to those who make theology a profession. I understood by the theology he has taught the theology that I listened to all my life from the Presbyterian and Calvinistic pulpits.

Q. Then I understand you to say that you do not know what the doctrine of the trinity is?

A. I have my own private understanding of it.

Q. Will you be kind enough to tell us what your private understanding of the trinity is———

Rev. Mr. Noyes.—The questions do not seek to draw out anything in the nature of evidence.

Prof. Patton.—The simple question is—Mr. Waite says Mr. Swing teaches the doctrine of the trinity. I do not know what importance to attach to it until I know what it is.

Rev. Mr. Wood.—Is the prosecution, or any one, in cross-examination, permitted to ask only one question upon a point? The very idea of a cross-examination is to cross your question so as to get out every idea that is to be got out.

Q. Mr. Waite will you be kind enough to tell us when the Fourth Presbyterian Church was organized?

A. I do not know that I can exactly; it was anterior to the fire, and I think in the fall of 1870.

Q. Was there an interval between the consolidation of the two churches as a matter of fact, and the formal organization of the church as a matter of the Presbytery?

A. Yes, sir, there were two churches, the Westminster and the North; the union resulted in the formation of the Fourth.

Q. Can you tell us the month of the year of 1870?

A. I cannot, sir.

Q. Was it in the early part of the year?

A. No, sir; because I returned from Europe in October, 1870, and it was after that date.

Q. It was 1870?

A. The union of the two churches was consummated after the date which I have mentioned—October.

Q. After October, 1870?

A. After October, 1870; the exact date of the formal organization of the church I cannot give you, sir.

Q. But it was between October, 1870, and the beginning of 1871, do I understand that?

A. It was soon after the union of the churches that they proceeded to organize. I personally had nothing to do with the papers which related to the organization of that church; and consequently do not know that I have any means of knowing the date.

Q. Mr. Waite will you tell us what sermons referred to in your evidence of yesterday belonged to a period prior to the organization of the Fourth Church?

A. If you will tell me what matter you allude to, I will tell you when, or near when the sermon was preached.

Q. You testified that you had heard Mr. Swing preach a sermon against Unitarianism?

A. That sermon, according to my recollection, and I do not wish to be exact as to dates, was preached anterior to April, 1870, in the Westminster Church.

Q. You testified that you had heard Mr. Swing preach on the deity of Christ—or the divinity of Christ, I should say?

A. I did not say that I had heard him preach a sermon on the deity of Christ; I said that in his sermons he constantly recognized the deity of Christ. That was what I said.

Q. Do I understand you as referring in your testimony which is covered by the period prior to the organization of the Fourth Church in this sermon on Unitarianism?

A. I do not understand your question; the language to me is ambiguous.

Q. You testified to Mr. Swing's preaching on the person of Christ, on the atonement of Christ, on the divinity of Christ; and I wish to know whether that preaching occurred before or since the organization of the Fourth Church?

A. I wish to be understood that he preached and embraced all those subjects more or less in all his sermons and weekly lectures before and since the organization of the church; that he recognized the truth of those doctrines.

Q. Mr. Waite, could you mention any special sermons?

A. No, sir; when a truth is recognized and stated according to the teachings of the church, and not specially developed, I can't mention it as a special sermon. I should call it a special sermon when he took up the subject of the deity of Christ, and developed it as a subject.

Q. Well, will you say, Mr. Waite, whether these doctrines were taught during the period between the organization of the Fourth Church and the fire which occurred in October, 1871?

A. There was no absence during that time when I was present at his sermons and weekly lectures of such teachings. I was not present, and did not listen to all his sermons during that period of time.

Q. Do you wish to be understood as testifying that in those sermons he did recognize those doctrines?

A. I do, sir, in the sermons which I heard him preach.

Prof. Patton.—I desire to know whether those sermons preached during the interval which elapsed between the formation of the Fourth Church and the fire can be produced. I would like to ask the defense that question?

Mr. Noyes.—They were all burnt up, sir.

Prof. Patton.—I will make the statement of the gentleman as a satisfactory answer to that question.

Q. Mr. Waite, than I understand you to say that Mr. Swing has taught the doctrines respecting the deity of Christ, and the atonement of Christ, since the fire?

A. I want to be understood that during the entire period of Mr. Swing's ministry, commencing with the Westminster Church, down to the present time, he has taught the doctrines of the Presbyterian Church as I understand them, and as the church generally understands them.

Q. Yes; that is the way I understand it, Mr. Waite. I simply wish to be more definite as to time and place.

A. I do not mean to cover any one period, but all.

Prof. Patton.—Now, Mr. Moderator, I desire to know if the sermons that Mr. Swing preached during the interval that has elapsed since the fire, and up to the present time, are in existence. I ask the defense that question.

Mr. Noyes.—Probably all of them. Yes, sir; I am advised, sir, that one disappeared up at the seminary, which has never been recovered.

Prof. Patton.—I would like to ask the defense what was the name of that sermon.

Mr. Noyes.—"God Blessed Forever." If the defendant is on the witness stand he will answer.

Prof. Patton.—Mr. Waite, you testified that Mr. Swing had preached a sermon in opposition to the Unitarians. I would like to know what you understand by Unitarianism.

Mr. Noyes.—I shall object to that question. The witness is not obliged to disclose his views on those doctrines, but his province is to state the views of Mr. Swing.

Prof. Patton.—The objection is entirely unnecessary. It is competent for me to know whether Mr. Waite knows anything about Unitarianism, in order to know whether he can testify whether Mr. Swing preached against Unitarianism or not.

The Moderator.—The Moderator would suppose that this view of the matter probably covers the ground, that either upon the examination in chief, or the cross-examination, any question is allowable which seems necessary to understand fully the meaning of the witness; and if at any point such a question had been asked, the Moderator would have ruled it as admissible; and he regards this question to be perfectly competent and admissible. Professor Patton asks whether Mr. Waite heard Mr. Swing preach a sermon against Unitarianism, and he replies that he has. He then wants to know what Mr. Waite understands Unitarianism to be; and it seems to me that in order to get at the true meaning of the first reply, the second reply must be heard. That is my view of the matter.

The question is ruled to be admissible. Allow the Moderator to state, in justice to himself, that I should of course rule out any question as to the private opinions or prejudices of a witness; but it seems to me, in its design and actual purpose to look only to an explanation of the meaning of a previous reply, appears admissible.

Mr. Waite.—I am not a theologian. I do not understand that they have what theologians call a formulated theology adopted by the Unitarian Church generally; hence it would be very difficult for me to tell what

their peculiar tenets were, as recognized by the church at large.

Prof. Patton.—You testified that Professor Swing had preached the doctrine of salvation by Christ, did you not?

A. Yes, sir.

Q. Would you be kind enough to tell us what your view of preaching by Christ is?

A. It is substantially what I saw in the *Interior* two weeks ago, that it was necessary to admit men into the church.

Q. Will you be kind enough to say what that was?

A. Belief—let the question be repeated then.

Q. What was the statement in the *Interior?*

A. That to admit persons into the church all that was required was a belief in the Saviour as a mediator, and that they had been born again, I believe; I do not undertake to quote the language exactly.

Q. It is your opinion, I understand then, that such a statement should be considered as evangelical theology—evangelical preaching?

A. Evangelical preaching I would understand to be such as is preached and recognized sound by the family of evangelical churches—evangelical Presbyterian churches. I could recognize such as we are accustomed to receive from the Presbyterian pulpits; that I would recognize as evangelical Presbyterian preaching.

Q. I will read a sentence to you, and will ask you if that is evangelical: "Christ is literally the hope of glory; without Him as the interpreter of God to man and the mediator between Him and us, we are without God and without hope in the world." If you were to hear a sentiment of that kind in the pulpit would you, or would you not, call that evangelical doctrine?

A. I should, sir; because I understand that "divinity of Christ," as ordinarily understood by the hearers, means the equivalent of Deity.

Q. Do you regard that as an unequivocal statement of the Deity of Christ?

A. Unequivocal is something that no man can cavil at. I understand in the popular sense that it was used as the exact equivalent to the deity of Christ; because we laymen in the Presbyterian church understand the divinity of Christ as the synonym of the deity of Christ; we do not recognize a distinction between the words "divinity of Christ," and the words "deity of Christ."

Q. I will read another sentence: "So it is very painful to hear learned men, skilled in the technics of science, and the vocabulary of philosophy, traduce, may I trust unwittingly, the religion of the cross; compare the grand Socrates with the simple Jesus, whose only power is this: that He is the Lamb slain from the foundation of the world. Dear friend, I would say, Socrates for the intellect—for the speculative days; Pythagoras and Seneca for literary and philosophical moods; but to whom shall we go when the soul is bleeding; and we are dying for love and pity; when we are crushed, and our heads are hanging bleeding heart flowers, but unto Christ, and him crucified?" I ask you, Mr. Waite, whether that is evangelical preaching?

A. I will say to that as I did to the former question of like character; it is a tenet in my profession, never to construe a portion without the whole; I have not listened to the context, and I can express no opinion upon it.

Q. But, sir, suppose you were to find that as a simple declaration without any context, would you call that evangelical?

A. Well, what kind of evangelical?

Q. Well, would you call it evangelical, as you use the word evangelical?

A. I have given several definitions of the word evangelical. I have spoken of the word evangelical as used by a family of churches, and then I have distinguished between that and what would belong to the Presbyterian church.

Q. Do I understand you to say that you have no fixed use for the word "evangelical?"

A. I have a fixed use for it in its popular sense, as applying to all the evangelical churches.

Q. Well, as applied to all the evangelical churches, what would you say of such a statement, seeing it alone?

A. I will say in relation to it, that if you will give me the sermon and allow me to read it through and couple it with the context, I will express my opinion, if my opinion as a layman is of any value to theologians.

Q. I simply want to know whether if you saw that statement alone you would regard it as an evangelical statement.

A. I would say in relation to that, that I

have long since learned that a man cannot be judged or should not be judged by a single expression. There is sometimes an ambiguity in language; but I judge of a man's meaning, not by a single expression, but by his general expressions, and comparing his views as expressed at different times. To illustrate, a man may preach a sermon; and on account of an ambiguity in his language, I may have a doubt; and in the next sermon that doubt may be entirely removed.

Q. That still does not answer the question. Mr. Waite, it is not the man you are criticising; but if you were to see that sentence printed alone upon a piece of paper as a tract, would you call it evangelical?

A. I should have to sit down and study it, and criticise it, and examine it.

Q. Then I understand you to say that hearing a statement once, is not sufficient for you to determine whether it is evangelical or not?

A. Yes, sir; it may be a statement that was perfectly clear. If I should hear you say that you believe in Christ, and Him crucified, I should say that it was evangelical, at once.

Q. Do you regard that as a clear statement that I have just read?

A. What do you mean by clearness, sir; in language or in theology?

Q. No, sir; so that its meaning can be understood. Clear in the sense you would regard it as clear.

A. I could not express an opinion in relation to it without seeing the context—what has gone before it and after it. I am not in the habit of construing any document by a single sentence taken from it. Perhaps it is a misfortune of my profession.

Q. Then I understand, Mr. Waite, that if you were to hear that sentiment expressed, you would not be able to say after you had heard it, whether it was an evangelical sentiment or not?

A. I do not wish to say that, sir, at all.

Q. Well, you say you cannot tell whether this is an evangelical sentiment because you have not studied it.

A. I did not say that; I said that in hearing it, we might hear it as disconnected from something that might explain it. I did not, and do not, form any opinion in relation to it. So far as I could discover, it was evangelical, but if I criticised it carefully, I might come to a different conclusion; but, so far as I could discover, there was nothing in it that was non-evangelical.

Q. I will read the statement again, because I would like to know what Mr. Waite thinks about that thing.

A. I will tell you what my notion of evangelical religion is.

Q. I would like an answer to this question.

Mr. Noyes —I very reluctantly enter a protest again. It seems to me that there is never going to be an end to this. I want to give the prosecution every possible advantage.

Prof Patton.—I think Mr. Waite will answer the question, if I put it before him clearly.

The Moderator.—The general purport of your question is plain and makes it admissible, but I would suggest that there must be some limit to this effort to clear up.

Prof. Patton.—Certainly, sir.

Mr. Noyes.—I should think, Mr. Moderator, that the witness has, three or four times, answered his question; but not, perhaps, in the way in which the prosecutor wanted him to.

Prof. Patton.—I want an answer to the question.

The Moderator.—I will allow the prosecutor one more question, for the purpose of determining the point which he wishes.

Prof. Patton.—I will read the statement now very distinctly. [Repeating the extract which was last read to the witness by the prosecutor.] Now I ask Mr. Waite whether that is an evangelical sentiment?

A. I do not think it is very unevangelical.

Q. Well, I desire a categorical answer to the question; is that an evangelical sentiment?

A. I can't tell until I should hear the whole sermon. You asked me whether it was an evangelical sermon.

Q. I did not say "sermon;" I said "sentiment."

Mr. Noyes.—He cannot tell whether it is evangelical until he sees the connection in which it stands. He wants to know how it may be qualified by what goes before, or after.

The Moderator. — That point is correct. The witness has stated again and again, that he cannot say whether such a sentence is evangelical in a disconnected form.

Prof. Patton.—I understand the witness

to say that he cannot tell on hearing this sentence, whether it is evangelical, or not.

A. I said this, Mr. Patton, that I did not feel competent to judge of it disconnected with what went before and after it. That is what I intended to say; that I should construe it with what had preceded it, and succeeded it of the context.

Q. But this has nothing before it, and nothing after it, as I state it to you. I simply want a categorical answer to that.

The Moderator.—The witness declares distinctly as I understand it, his incompetency to pronounce upon the evangelical character of what you have read apart from its connection.

Prof. Patton.—Is the witness satisfied with the answer?

A. I am satisfied with the answer as far as I am concerned. If you want any private opinion in relation to it, I am perfectly willing to give it.

Q. Mr. Waite, do you regard this prosecution of Mr. Swing, as an attack upon your church?

A. We do, sir.

Q. Do you regard it as an attack upon the eldership of your church?

A. No, sir, not upon the eldership of the church, except in this respect; we are, as we believe, Presbyterians; we have been, all of us, educated in the Presbyterian church. Mr. Swing has been willing and ready to be governed by our advice; and if he has in any manner (which I do not believe) departed from the standards of the church as they are generally understood from the pulpits, we are responsible for it, because he would be governed, as I have no doubt, by the express wish of his session. I never saw a man more willing to listen to suggestions than Mr. Swing.

Q. Has your session ever made any suggestion to Mr. Swing?

A. No, sir, for the reason that we have been entirely satisfied with Mr. Swing's preaching. I want to say that the session of the church, before these charges were made, expressed themselves as a unit in being entirely satisfied with his orthodoxy.

Q. Do you reside in Chicago all the time, Mr. Waite?

A. Yes, sir; this is my home.

Q. Are you familiar with the action of the session?

A. I am, sir; there may have been meetings of the session when I have not been present.

Q. Haven't you been absent during the last year or so?

A. I have been more or less absent, sir.

Q. You have no recollection then, of the session giving any advice to Mr. Swing in reference to a more pronounced mode of preaching?

A. No, sir.

Q. Or in reference to his making appeals to his people at the ends of his sermons?

A. No, sir; never.

RE-DIRECT EXAMINATION BY REV. MR. NOYES.

I would like to ask you whether, if you were to see this sentiment by itself, you would regard it as an evangelical sentiment, "Wherefore, we are justified by Christ, and not by faith alone," if you were to see that sentiment apart, and by itself, would you be perfectly sure that it was an evangelical sentiment?

A. Read it over again.

Q. (Repeating the sentence.)

A. I should say—is that a question from the bible?

Q. I believe it is, sir.

A. I am in the habit of accepting the bible as Evangelical.

Q. I call to mind an expression which was used in the inaugural address of the prosecutor in this case, as he was inducted into the chair of theology, to the effect that men must not be attached to scripture phraseology; what would you think of such a sentiment as that—of such language as that?

Prof. Patton.—Will the defense be kind enough to read that sentence; I do not remember to have used that sentence.

Mr. Noyes.—Your memory will be refreshed on it in time.

Prof. Patton.—I would like to have the sentence read.

Mr. Noyes.—The question is whether language to the effect that men must not be attached to scriptural phraseology, is not language that is liable to mislead; it is evangelical.

A. I should rather have the whole sentence before I pass upon it.

Q. Mr. Waite, are you a member of the session of the Fourth Church?

A. I am, sir.

Q. Do you remember anything of a paper

recently put forth as purporting to come from that session?

A. I do, sir.

Q. Is it within your knowledge that other members of that church signed it?

A. I saw it signed by all the members of the session, except Mr. Hurlbut; I did not see him sign it.

Rev. Mr. Brobston.—I would ask you a question, if you have no objection.

A. None at all.

Q. You have spoken, I think, in relation to Mr. Swing's opinions with regard to future punishment. Did you understand that his views were with regard to the nature of that punishment, and its duration?

A. I understand his views to be that it is an eternal punishment.

Q. Eternal?

A. Yes, sir.

Q. What kind of a punishment was it? Purgatorial—limited?

A. I did not catch all the question. If it can be repeated, or you will speak louder, I will answer.

Q. I say was this punishment everlasting, or was it limited; something like the doctrine of the Catholic church, purgatorial—to be for a time, and then he will be cleansed from his sins, and admitted afterwards to the heavenly regions?

A. I believe it was everlasting.

Rev. Dr. Patterson.—I would like to ask Mr. Waite a question; whether in hearing these recognitions of Evangelical doctrine from Mr. Swing, he ever gave any intimation in any way in which you had a suspicion that he did not use the terms which he employed in an Evangelical sense?

A. I understood them to be used in the commonly accepted sense. He never gave any intimation to me that they were used in any other sense than the commonly accepted sense, I understood them to be in the sense in which I had been accustomed to accept them.

Mr. Noyes.—I would ask Mr. Waite one more question, whether you have any knowledge as to Mr. Hurlbut's signature to that paper put forth by the session. You did not see him sign it?

A. I did not, sir.

Q. Have you any knowledge in regard to his signing it?

A. Nothing, except hearsay.

Testimony read and approved by witness.

[Signed,] HORACE T. WAITE.

The prosecution presented the following motions.

I move that that portion of Mr. Waite's testimony be stricken out which refers to a period prior to the formation of the Fourth Church, upon the ground that it is not relevant to the allegation set forth in specification five.

I move that that portion of Mr. Waite's testimony be stricken out which refers to a period between the fire and the present time, because it has been admitted that the sermons to which that testimony refers are still in existence.

I move that that portion of Mr. Waite's testimony be stricken out which refers to private conversations, because it is not relevant to the allegation as set forth in specification five.

I move that the testimony of Mr. Waite be stricken out in so far as it refers to his services in the prayer meetings on Wednesday evenings, because nothing is alleged in the specification with respect to the prayer meetings.

I move that all the testimony with respect to Mr. Swing's sermons, given by Mr. Waite, be stricken out, on the ground that it has not yet appeared that the sermons to which the testimony relates have been destroyed.

The motions were denied, and a committee, consisting of D. S. Johnson, R. W. Patterson and Elder F. A. Riddle, was appointed to present reasons for the denial.

The prosecutor gave notice of a protest against the denial.

After prayer the Presbytery adjourned to meet at 10 o'clock A. M., May 8th inst.

FRIDAY, MAY 8, 10 o'clock A. M.

Presbytery met and was opened with prayer.

Inter alia.

Oliver H. Lee, Esq., was sworn and testified as follows:

DIRECT EXAMINATION.

Rev. Mr. Noyes.—Are you an elder in the Fourth Presbyterian Church of this city?

A. I am, sir.

Q. Were you a member of the Westminster Church previous to the union of that church and the North Church?

A. I was.

Q. Were you an elder in any church previous to your services as an elder in the Westminster Church?

A. I have been, sir.

Q. For how long a time have you been an elder in the Presbyterian Church?

A. Over thirty years.

Q. Has Mr. Swing, in your judgment,

been zealous and faithful in maintaining the truths of the gospel?

A. He has.

Q. Has he been faithful and diligent in the exercise of the public duties of his office, as manifested to the Fourth Church?

A. In my judgment, he has.

Q. Since the organization of the Fourth Church has he preached and taught evangelical doctrines?

A. He has.

Q. What do you consider evangelical doctrines?

A. Well, sir, on this point I am very happily aided by the definition of Prof. Patton, which I propose to give as my answer, in his own language, and I am very happy to say that I agree with him fully in his definition. I think the evangelical doctrines are "that Christ is a propitiation for our sins; that we have redemption through his blood; that we are justified by faith; that there is no other name in or under heaven given among men whereby we may be saved; that Jesus is equal with God, and is God manifest in the flesh; that all scripture is given by inspiration of God; and that the wicked shall go into everlasting punishment."

Q. In what specification do you find that?

A. Specification five, first charge. I could not make a better definition, sir.

Q. Taking some of these doctrines, for instance, the doctrine of depravity; have you ever heard Professor Swing preach upon that doctrine?

A. I have heard him speak of it on a good many occasions, in a good many sermons and teachings.

Prof. Patton.—I shall have to call for the sermons.

Elder Lee.—Very well, sir; I am glad you do. What is the topic?

Rev. Mr. Noyes.—Depravity.

A. I read from a sermon which is in the professor's catalogue. In his bundle of sermons I find this language. I will testify that I heard him say these words:

"It seems to me we find this fact in the public conviction of the utter depravity of the masses, and in the public approval of any one that can or will help a depraved soul upward.

"It is the world's confessed wickedness, it is the world's universal and inborn depravity that makes the Christian and moral leaders flame like suns in the human sky."

Q. When was that sermon preached?

A. That was preached since the fire. It was preached in Standard Hall. I heard those words and others of a similar tendency and character.

Prof. Patton.—Does counsel offer these sermons in evidence?

Rev. Mr. Noyes.—They are in evidence, sir.

Prof. Patton—Well, we should like to see them.

A. It is a sermon called "The World's Greatest Need."

Prof. Patton.—Oh! I have that, sir.

Rev. Mr. Noyes.—(To the witness.) Your impression of Prof. Swing's preaching, in regard to that doctrine, has been such as to confirm, all along, the distinct statements which you have read as from his sermon?

A. It has been, sir, decidedly so, as in perfect keeping with all the Evangelical preaching I have heard for forty years on that subject.

Q. Have you understood him to preach the doctrine of future punishment, the final separation of the righteous from the wicked?

A. I have sir, most distinctly. On that point I beg leave to read a little extract from a sermon which Prof. Patton has in his bundle, where I heard the following language:

"But amid all the fluctuations of patriotism, the law of death for treason remains written on the statute book of nations. And so in Christianity, however, any class or any age may rise above the influence of penalty for sin, yet punishment remains a perpetual fact in the economy of our God. Its dark cloud will rise or fall according to the quality of humanity. Wherever there are hearts that can see no goodness in holiness, none in honesty, and in charity, none in Jesus Christ, none in the worship of God; wherever there are minds incapable of being led by the intrinsic good of religion, there this dark cloud of divine wrath is ready to descend and to envelop with its thunders, the soul that cannot and will not be enveloped by love. The result of sin expressed in all religions by the word "hell" is a perpetual influence, liable to go and come as humanity advances or retreats in the path of intelligence and morals,—but it must be a perpetual fact in a world of beings capable of being moral. A world of sin must be a world of penalty."

I heard him say further:

"There is a Christianity that will save the

world. It is not only a faith, but it has a morality as essential as its faith. It not only says, 'Believe and be saved,' but it assigns damnation to him who leads a wicked life. There is a Christianity that will not only fill heaven with saints, but earth with good citizens. In it Paul and Christ are not rudely separated, and the human placed above the divine, but the morals of the gospels come back to mankind, and the anxiety for faith is no greater than the hungering after righteousness."

Q. Do you know anything about a paper that has been published, which purports to come from the session of the Fourth Church?

A. I do, sir.

Q. Did you sign that paper?

A. I signed that paper.

Q. Can you testify whether other members of the session signed it?

A. They all signed it with the exception of Mr. Hurlbut, who was absent in New York; and the moment of his return he wrote me a note requesting me to put his name to it for him, as he cordially endorsed it and wished it to be signed by myself for him—which I did?

CROSS-EXAMINATION BY PROF. PATTON.

Q. What do you mean by damnation?

A. I attach an Evangelical meaning to it, sir.

Q. What do you mean by Evangelical?

A. I have given you an explanation of that, sir. The strict meaning of the term from the dictionary would be the religion or the faith based upon the teachings of the four evangelists, or perhaps, the New Testament, in a wider sense.

Q. Would you accept that as your definition of the word evangelical?

A. I accept that as defined in the specification number five—Evangelical Doctrines.

Q. And *not* as defined in the dictionary?

A. I consider them synonymous.

Q. That is a matter of opinion. Would you mention the churches you regard as evangelical?

A. No, sir. I do not consider this as relevant testimony, and as bearing upon any point upon which I have been examined, but I will try to give you answers to your questions.

Q. Allow me to explain. You testified that you heard Mr. Swing preach certain evangelical doctrines. Now, before I can attach the proper value to Mr. Lee's testimony, it is necessary for me to know what he regards as evangelical?

Q. As far as I know, sir, the Presbyterian churches are evangelical churches.

Q. And the Methodist churches?

A. I believe them to be; they call them so.

Q. The Baptist church?

A. Yes, sir.

Q. The Roman Catholic church?

A. No, sir, I do not.

Q. The Swedenborgian?

A. I don't know anything about their faith, sir.

Q. The Unitarian?

A. I do not know what their creed is. I do not consider them evangelical.

Q. You do not?

A. No, sir.

Q. The Universalist?

A. No, sir.

Q. You do not regard them as evangelical?

A. No, sir.

Q. Then you understand that Mr. Swing has taught the evangelical doctrines in such a sense as they would not be taught by the Universalists and the Unitarians?

A. I have said no such thing, sir. I said he has taught the evangelical doctrines of our church.

Q. I will ask you this question. Do the Universalists preach evangelical doctrines?

A. I can judge of that question no better than you can.

Q. If it did teach evangelical doctrines, would the Universalist denomination be evangelical?

A. I cannot reply to a question of that kind.

Q. Then, did I understand you to say the right of a church to be called evangelical does not depend upon its holding certain doctrines?

A. I have not said that, sir.

Q. Then why do you say that the Universalists are not evangelical, and the Presbyterians are?

A. If I understand one tenet of the Universalist faith, it is that all men will be saved irrespective of Christ's sacrifice. That is all I know about the tenets of the Universalists?

Q. That is your idea of the Universalist Church?

A. That is my impression, without knowing anything of theology.

Q. Then if you should hear a Universalist preach in reference to future punishment, you would be surprised, wouldn't you?

A. I don't know, sir. I have been surprised at a good many things.

Q. That is hardly a categorical answer. But I understand Mr. Lee to say that the Universalists are not evangelical.

A. That is my expression.

Q. And I understand you to say that the Universalists do not believe in future punishment?

A. That would be my impression.

Q. And it is because they do not believe in future punishment that you do not regard them as evangelical?

A. That is one of the points in which they are not evangelical, I believe.

Q. And that is one of the reasons why you do not consider them evangelical?

A. Yes, sir.

Q. Have you any other reasons why you do not believe them to be evangelical?

A. I have not enough knowledge of their faith to state.

Q. So, if you were asked why the Universalists were not evangelical, you would say it is because they do not believe in future punishment?

This question was objected to by Mr. Noyes.

The Moderator.—I regard the question objected to as admissible.

Prof. Patton.—Then I will proceed. Mr. Lee says he does not regard the Universalists as evangelical, because he does not believe that they hold to future punishment. Then I take it that you regard the passage you quoted from the sermon bearing upon future punishment, as proving that Mr. Swing holds to the evangelical idea of it?

A. I hold that, in my opinion, is an evangelical sentiment as far as I can judge.

Q. And as proving, therefore, that he preaches the evangelical doctrines on that subject?

A. It bears upon that subject.

Q. But does not prove it?

A. I think that, in connection with his other teachings I have heard, does prove it. This is but one detailed sentence that caught my eye as I was leaving my house this morning. If I had all his sermons I could perhaps produce as large a package as the prosecutor has.

Rev. Mr. Taylor.—In what church have you held the office of elder before your connection with the Fourth Church?

A. I was an elder in the ——— Church, in South Brooklyn, of which the prosecutor was afterward pastor. I was afterward elder in the North Presbyterian Church, in New York; and so remained until I came to this city. I was an elder of the Westminster Church, and at the present time I am an elder of the Fourth Church.

Rev. Dr. Patterson.—I would like to ask this question: You say, in general, that you regard the Universalists as not evangelical because they do not hold to the doctrine of future punishment, — whether you mean future and endless punishment?

A. I cannot make these theological distinctions. I use the word in the popular sense. I have never made theology my study, or the tenets of other sects. I have tried humbly and faithfully to study the tenets of my own church. That is about as much as I have had time and inclination to attend to.

Q. Do you mean to say that you understand that the Universalists do not hold to any punishment beyond the present world?

A. No, sir, I have an idea that they vary very much among themselves about that. Some to a limited punishment; and some no punishment at all, as I understand the case. My knowledge is very superficial upon those points.

Q. You mean to say, then, that the Universalists do not hold to the doctrines of future punishment in an evangelical sense, that is, the doctrine of future and eternal punishment?

A. They do not hold to that in the sense that Presbyterians do.

Rev. Mr. Faris.—I would ask, in connection with the last question and answer, if you regard any Universalists as holding to future punishment as far as covered by the expressions you quoted from Prof. Swing's sermon?

A. The question is a little involved. I do not understand it fully.

Q. Do you know whether or not any Universalists hold to future punishment, reaching to the extent expressed in the extract from the sermon you read of Mr. Swing's?

A. I have no acquaintance with Universalists that I know of; and I cannot answer it.

Q. I would like to ask another question. Do you or do you not know whether the elders, either jointly or severally, have at any time, once or more, asked Mr. Swing to be more explicit and practical in his preaching?

A. I don't recollect anything of the kind.

Rev. Mr. Blackburn.—Did you ever hear Prof. Swing preach the doctrine of the restoration of the wicked?

A. I never heard anything which seemed like it.

Q. Did you ever hear him preach the doctrine of the annihilation of the wicked?

A. I never heard anything of the kind.

Rev. Mr. Glen Wood.—Did you ever hear anything from Prof. Swing, either in his public ministrations in the pulpit on the Sabbath, or in his Wednesday evening lecture which led you to think he was in any way a Unitarian?

A. On the contrary, sir, I have heard him repeatedly give such utterances as convinced me that he was decidedly opposed to that form of faith.

Prof. Patton.—What do you understand Unitarianism to be?

A. I understand it to be something that differs with our Presbyterian view.

Q. That is correct. What do you understand the difference to consist in?

A. I am not versed in the Unitarian tenets. I never read a book on it that I know of.

Q. How would you be able to say that Mr. Swing's preaching contradicted a thing about which you don't know anything?

A. Well, sir, I only know this; that a few years ago, Prof. Swing delivered a very strong argument against Unitarianism in the pulpit of the church to which I belonged, and, in a few days, Robert Collyer came out with a very severe article against him, headed, "David Swing's Mistakes," trying to controvert and upset the arguments of that sermon. A few days after Robert Laird Collier came out with a very strong article headed, "David Swing, a man of Straw," in which he attempted to overthrow and upset the arguments of that sermon.

Q. Can you tell me when that sermon was delivered?

A. I cannot precisely. It is the same sermon Mr. Waite referred to. I tried hard to get it yesterday. I scoured the city for it and couldn't find it. It is a good while ago.

Rev. Mr. Noyes.—It was destroyed in the great fire like the Shufeldt correspondence.

Prof. Patton.—That sermon was preached before the organization of the Fourth church, as I understand it?

A. It was, sir.

Rev. Mr. Blackburn.—When you understood him to be preaching against Unitarianism, did he use the word "Unitarianism?"

A. I can't tell, sir, precisely, whether he used that word or whether he described it with other words. It was well understood, however, by the Unitarians what he meant.

Rev. Mr. Glen Wood.—Did I understand you to say that this sermon on Unitarianism was destroyed in the fire?

A. So I have been told—that particular sermon. I would say that that is not the only instance, by any means, in which I have heard Mr. Swing preach in opposition to that form of faith and show his people the fallacies of that belief.

Prof. Patton.—I would like to ask the counsel if that sermon was destroyed in the fire?

Rev. Mr. Noyes.—Yes, sir, that particular sermon.

Prof. Patton.—I do not wish to raise any question, but simply for my own sake, and for the record I wish to object to the reception of that portion of the testimony before the organization of the Fourth church. The Moderator will see the propriety of my having the record preserved.

Mr. Riddle.—Was objection made before the testimony was all in of this witness?

Prof. Patton.—I made objections to the questions at the time they were asked.

Testimony read and approved by witness.

(Signed,) OLIVER H. LEE.

The prosecutor here objected to that part of Mr. Lee's testimony which referred to a time prior to the organization of the Fourth church, as not relevant to the allegation set forth in Specification 5th, Charge I.

Henry W. King, Esq., was duly sworn and testified as follows:

DIRECT EXAMINATION BY REV. MR. NOYES.

Q. Are you an elder in the Fourth Presbyterian church, in this city?

A. Yes, sir.

Q. Were you an elder in the North or

Westminster churches previous to the union of those two churches?

A. I was an elder in the Westminster church.

Q. How long a period of time does your service as elder cover—the whole period of Mr. Swing's ministry?

A. Yes, sir.

Q. Has Mr. Swing, in your judgment, always been zealous and faithful in maintaining the truths of the gospel?

A. He has, sir, in my judgment.

Q. Has he been faithful and diligent in the exercise of the public duties of his office?

A. He has, sir.

Q. Both as minister of the Westminster church and as minister, subsequently, of the Fourth church?

A. He has, sir.

Q. Has he been accustomed to preach and to teach the doctrines commonly called evangelical?

A. I have so supposed, always, sir.

Q. Those doctrines which are set forth in this indictment, under Specification Fifth?

A. Yes, sir.

Q. Do you know anything of a paper signed by the Fourth church, purporting to come from them?

A. Yes, sir.

Q. Did you sign that paper?

A. I did, sir.

Q. It is within your knowledge that the other members of the session signed that paper?

A. Yes, sir, it is within my knowledge that the other members signed. Some of them directed their signatures to be appended, who were not present.

CROSS-EXAMINATION BY PROF. PATTON.

Q. I understood you to say that you supposed Mr. Swing to preach the evangelical doctrines?

A. Yes, sir.

Q. It is, then, a matter of opinion?

A. Yes, sir, I suppose it is a matter of opinion.

Q. Do you admit that you are liable to be mistaken on matters of this kind?

A. Well, sir, I think it is human to err.

Q. You simply propose to give your opinion as to those doctrines?

A. That was the question asked me, sir.

Q. Can you state one of the doctrines you heard him preach?

A. I think I have heard him preach on all of the evangelical doctrines, such as salvation through Jesus Christ.

Q. Salvation through Jesus Christ?

A. Yes, sir.

Q. Would you specify particular times and places?

A. No, sir, I could not.

Q. Has it been since the fire?

A. Oh, yes; since and before.

Prof. Patton.—I would ask the counsel if the sermons preached since the fire are in existence?

Rev. Mr. Noyes.—I am unable to say, positively. I have no doubt many of them are, but whether they are all or not, I could not say. I think it was stated, yesterday, that one had disappeared at the Seminary. And, as to the others, my recollection is that the defendant stated he had the sermons. I can only give an impression, not being under oath, or on the witness stand.

Prof. Patton.—I simply object to the introduction of parole testimony, in so far as it respects the sermons preached since the fire, on the ground that the sermons referred to are still in existence. Please record my objection. Will the moderator rule on the objection?

Rev. Mr. Trowbridge.—Was not that testimony given in answer to the prosecutor's own question?

Rev. Mr. Noyes.—This point raised by the prosecutor was decided yesterday, and adversely to his request.

Prof. Patton.—I do not propose to debate the question. I simply ask the ruling of the moderator.

The Moderator.—Before I rule upon it, I would listen to some statements.

Rev. Mr. Noyes.—With all respect to you, Mr. Moderator, it is not your province to rule upon a matter which has been decided by the Presbytery. The Presbytery voted once or twice specifically yesterday upon this question upon which a ruling is now desired; and having done so, it does not seem to me to be the province of the Moderator to rule on this question.

The Moderator.—That seems to me to be a test view of it, Prof. Patton. Your objection covering substantially this ground, was repeatedly voted down yesterday, and it would be hardly incumbent upon me to reverse that by any decision of mine.

Prof. Patton.—I ask that my objection be entered. Mr. King, could you recall a state-

ment which you would regard as preaching salvation by Christ?

A. I don't know that I exactly understand you.

Q. I will state it in another way. You say Mr. Swing has preached the doctrine of salvation by Christ?

A. Yes, sir.

Q. Now, I should like for you to tell me what he said when he preached that doctrine?

A. Well, of course, sir, I could not quote any of Mr. Swing's words.

Rev. Mr. Noyes.—Mr. Moderator, the witnesses for the prosecution, to prove that charge regarding the call to the ministry, were not asked, nor did the defense, in the cross-examination, ask for the very words of the discourse. The Prosecutor distinctly refused at a certain stage of that examination to admit an abstract from a newspaper, made by a reporter at the very time the sermon was delivered, deciding and distinctly stating to this court that the recorded impressions of witnesses were of more value than the abstracts of the reporter, it is with ill grace, therefore, that he comes here now and makes these objections.

Prof. Patton.—Mr. King, you say you have heard Mr. Swing preach on the doctrine—on all the evangelical doctrines?

A. I should say that I had, sir, a great many times.

Q. You mentioned Salvation by Christ?

A. Yes, sir.

Q. Would you mention another?

A. Yes, sir; The Final and Eternal Separation of the Righteous and the Just.

Q. Do you remember when that was preached?

A. The Righteous and the Wicked, I should say. Well, I have heard him preach on that topic more than once, but I could not indicate any special time.

Q. Twice?

A. Oh, I should think a dozen or twenty times.

Q. Do you recall any particular sermons?

A. Not at this moment, sir.

Q. Do you recall any particular passage?

A. No, sir; I had not expected to be called as a witness, and I did not summon my memory at all.

Q. Would you mention another doctrine that you, perhaps, have heard him preach?

A. Well, I don't know that there are any of the leading doctrines but what he has preached upon. I do not think he has ever omitted any of them. I know that the one that I first mentioned—"Salvation Through the Blood of Christ"—has been rather a central topic with him.

Q. He preached it frequently?

A. Yes, sir, frequently.

Q. So much so that you would not regard it as at all unusual?

A. Well, no—well, I think he has perhaps preached on Christ as the great central figure; more, perhaps, than most ministers do.

Q. Suppose that you should hear a man speak of Christ as the Saviour, and speak of Him as the Saviour, every Sabbath, would you necessarily infer that he was teaching the evangelical doctrine of salvation by Christ?

A. No, sir.

Q. Then I would like to know what you understand by salvation by Christ?

A. I understand, in its broadest and fullest scope, salvation through Jesus Christ as the atoning sacrifice for the sins of men.

Q. What do you mean by the atoning sacrifice.

A. That through His death He has made us at one with God, if we accept.

Q. You have heard that doctrine distinctly stated by him, you say.

A. Yes, sir, distinctly.

Q. Do you think that the Presbyterian church is pre-eminent in preaching the doctrine of belief in Christ?

A. Well, I suppose that, perhaps, it stands upon a par with the Episcopal church and some other churches in that respect.

Q. What would you understand by the word "Evangelical" as applied to churches?

A. Well, in its broad and common sense, perhaps the definition would be wider than I, as a witness here, might fully state; but I suppose it has its basis upon the teachings of the Evangelists—the teachings of the New Testament.

Q. Would you regard that Testament as its basis of doctrine as an Evangelical church?

A. That would probably depend upon what they deduce from the doctrines of the Evangelists.

Q. Then you admit that it would be necessary for you to deduce something from their creed before you would call it evangelical?

A. I should want to know their creed before I should call it evangelical.

Q. Are you acquainted with the creed of the Universalists?

A. No, sir; only in a general way.

Q. Are you acquainted with the theology of the Unitarians, sir?

A. No, sir, I am not.

Q. Are you in the habit of reading theological books?

A. Well, not to a very large extent, sir.

Q. Are you acquainted with the Confession of Faith?

A. I am, sir.

Q. What is the doctrine of salvation by Christ, as taught by that Confession?

A. Well, I suppose the doctrine of salvation by Christ, as taught there, is that Christ was God, and that he suffered that those who believe in Him might rejoice.

Q. Can you conceive of there being two interpretations put upon the expression "Christ died for man?"

A. Well, hardly, with my education upon that subject.

Q. So that, if you heard a man say that Christ died for man, you would not know exactly what he meant?

A. That would depend upon the statement following or preceding, perhaps.

Q. What do you understand to be meant by "Propitiation for our sins?"

A. I understand by that, that man by nature was sinful, was alien to God, and that the mission of Christ was to reconcile him to God, and those who believe in Christ and who accept Him as the only way—those who accept Him as the only way—may avail themselves of that propitiation, that sacrifice.

Q. How does that propitiation affect us according to your view?

A. I suppose that salvation is freely offered to the world, and those are affected who accept.

Q. Mr. King must excuse my theological examination of him.

A. Yes, sir; it is a little difficult for a man who is not a theologian, to be cross-examined by a man who is.

Q. I wish to know what the witness understands by the relation between the pardon of our sins by God, and the propitiation for our sins by Christ.

Rev. Mr. Noyes.—I do not think it is fair for a trained, polemic theologian thus to entangle and enmesh a plain, straightforward layman, who has learned the things of Christ as regards the spirit of love to Him and to our fellow-men. I do not think it is fair for this sort of procedure to be taken.

Prof. Patton.—I will not proceed. Mr. King need not be ashamed of his examination.

Rev. Mr. Noyes.—Probably there is not one layman in a thousand who could satisfactorily speak upon those points.

Rev. Mr. Glen Wood.—I doubt, sir, whether one half the ministers could begin to answer as well as Mr. King has.

Prof. Patton.—Do you regard the prosecution as an attack upon the Fourth Church?

A. I do, sir, and I will tell you why: because I feel that it was the duty of the prosecution to have made some complaint to the session of the church, who have charge of its worship. That is my feeling in the matter.

Q. Do you regard this as an attack upon the session of that church?

A. I do, in that the session have charge of the worship, and I think the prosecutor ought to have come to the session before he made any complaint against any one member of it.

Q. Then you feel personally aggrieved, I take it.

A. I do, because I think that it is a reflection that the session should permit heresy to be preached.

Q. I am sorry Mr. King has these views of the prosecution.

A. I think it was a mistake. I do not think the prosecution was willful in that respect, but I think that it was a mistake that the prosecutor did not direct the attention of the session to what the prosecution might have thought was wrong.

Rev. Dr. Beecher.—Has Mr. Swing taught that men are such sinners, and so lost, that without the atonement they cannot be saved?

A. Yes, sir.

Q. Has he taught that Christ has made atonement by His death?

A. Yes, sir.

Q. And has he taught that men need absolutely regeneration by the influence of the holy spirit?

A. Yes, sir.

Q. Has he taught that men are justified only by faith in the Lord Jesus Christ?

A. Yes, sir.

Elder Barber.—I would like to inquire whether Mr. Swing has omitted to preach or teach the doctrine that Jesus is equal with God, and is God manifested in the flesh.

A. He has preached it repeatedly, sir.

Q. Has he omitted to preach or teach the doctrine that all scripture is given by inspiration by God?

A. He has preached that, sir.

Q. Oftentimes?

A. Oftentimes.

Q. At what dates?

A. I could not give the dates, sir.

Prof. Patton.—Are the sermons in existence, Mr. counsel, in which these doctrines are taught?

Rev. Mr. Noyes.—I am unable to state, sir. The defendant is not present in the house.

Elder Lee.—In answer to one of the first questions put to you you say it is your opinion that Professor Swing preached evangelical doctrines; don't you also fully believe that he did thus preach them?

A. I do, sir. My opinion was all that was asked.

Q. I want to know if it is simply a matter of opinion or a firm belief?

A. It is a firm, deep belief, sir.

Prof Patton.—But you admitted that you might be mistaken.

A. I said it was human to err.

Q. Was I right in regarding that as equivalent to saying you might be mistaken?

A. Oh, certainly; I might be mistaken in regard to anything.

Q. And you might be mistaken in regard to this?

A. Certainly; all things are possible.

Q. You stated, in answer to Elder Barber's question, that Professor Swing has not omitted to preach certain doctrines. Can you specify the sermons in which he preached them?

A. No, sir.

Q. Have you seen a sermon entitled, "Old Testament inspiration," which is in print?

A. I don't know whether I have or not. I couldn't state whether I have or not.

Q. Do you remember hearing that sermon?

A. I do not. I would say that I have been absent sometimes from the city, and have this spring been absent quite a length of time. I may and I may not have heard it. I do not remember.

Rev. Dr. Patterson.—I would ask you if you have ever heard anything from Mr. Swing in the pulpit, or in the lecture room, that seemed in the slightest manner to imply that he did not receive the ordinarily accepted evangelical doctrine?

A. No, sir, I never have. I never have in the slightest degree.

Q. Have you ever heard anything from him that seemed to imply that he did not use the language, "The Saviour and atonement and divinity of Christ," in the accepted evangelical sense?

A. No, sir.

Elder Barber.—Reference has been made to a paper subscribed by the session of the Fourth Church, and published. Do you now remember the statements of that paper?

A. Well, substantially, perhaps.

Q. Are those statements true?

A. I think they are, sir, substantially true.

Rev. Dr. Swazey.—I would like to ask Mr. King, has Professor Swing, in any of his sermons, used language derogatory to the standards of the Presbyterian Church?

A. I can't say that he has, sir. I don't recall any such language.

Q. Has he ridiculed the doctrines of the Presbyterian Church?

A. No, sir; not in my hearing.

Prof. Patton.—You testified, in answer to Mr. Barber's question, something in relation to a paper, and you say those statements are true. That paper states, I think, something in reference to the membership of the church, does it not?

A. Yes, sir.

Q. Doesn't it say something about a large increase to the church?

A. I think it does; yes, sir.

Q. Would you have the kindness to tell us how large the increase of the membership of the Fourth Church has been since the fire?

A. I couldn't state that. It is a matter of record. I would only state that we have had but one communion since the fire, and that we have had additions to the church either by profession or letter, or both.

Q. How many additions do you think?

Rev. Dr. Patterson.—I rise to a point of order. I know nothing of what the answer would be to this question, but I submit that it

is not in order to examine a witness in regard to the results of ministerial labor, especially under such circumstances. If any of the ministers of this church or Presbytery should be examined in regard to the results of past labor, I think we would come out badly.

Prof. Patton.—The only reason I put the question was that certain statements are made in the paper—

Rev. Mr. Noyes.—That paper is not in evidence, yet.

Rev. Mr. Faris.—Brother Barber asked the party if the statements in the paper were true, and that made it evidence. I am a juror, certainly, and must be governed by that.

Rev. Dr. Patterson.—That does not make the paper in evidence.

Prof. Patton.—I will not press the question.

Rev. Mr. Brobston.—(To the witness.) You have stated that you heard Mr. Swing preach the evangelical doctrines. Do you include in that term the doctrines included in the Confession of Faith?

A. Yes, sir; all the leading evangelical doctrines contained in the Confession of Faith.

Rev. Dr. Patterson.—I would ask you whether Mr. Swing has, in his Wednesday evening lectures, especially brought out these evangelical doctrines?

A. Yes, sir, he has, with to my mind such force as I have never heard them brought out elsewhere.

Elder Lee.—Did you ever hear any doubts expressed in regard to his soundness before they were published in the *Interior?*

Prof. Patton.—I object to the relevancy of the question, Mr. Moderator.

Rev. Mr. Trowbridge.—I will ask a similar question.

The Moderator—Does Mr. Lee still desire an answer to the question?

Elder Lee.—If it is relevant, I do.

A. I don't know whether I have ever heard his opinions or his views called in question before or not. I could not say as to that.

Rev. Mr. Trowbridge.—Did you ever hear a constant and regular hearer of Prof. Swing express doubts of his soundness?

A. I don't think I ever heard a man who heard Prof. Swing for any length of time express any sort of doubt in regard to it.

Rev. Mr. Noyes.—Simply as a matter of information to the prosecutor, I would state that these questions, with reference to Prof. Swing's labors in his prayer-meetings were very pertinent to the fate of specification five, where it is said, "he omits to preach or teach one or more of the doctrines indicated in the following statement:" There is nothing said about sermons, but that "he omits to preach or teach."

Prof. Patton.—I do not think that is the reading of the amended charge—"he has omitted to preach in his sermons."

The Moderator.—A few words further on ———

Prof. Patton.—That is simply a setting out of the statement already made.

Rev. Mr. Noyes.—No matter how it is set out.

Rev. Mr. Faris.—I understood Mr. King to say that he knew no one who had attended upon Mr. Swing's ministry with any regularity and continuousness, to be dissatisfied with his preaching. Does he or does he not know of any of the elders—one or more—who ceased attending because they were dissatisfied?

A. No, sir, I do not, any persons who attended for any great length of time with continuousness.

Testimony read and approved by witness.

(Signed,) HENRY W. KING.

The prosecutor objected to the introduction of parole testimony when the sermons themselves were in existence.

In accordance with previous notice, Rev. Arthur Swazey entered a protest against the action of the Presbytery in entertaining the charges and specifications, which was admitted to record, and is as follows:

The undersigned members of this Presbytery respectfully protest against the action of said Presbytery in receiving the charges and specifications preferred by Francis L. Patton against David Swing, said charges being those received at the session of this Presbytery, held April 27, in the Second Presbyterian Church, in Chicago.

Because the said charges and specifications are seriously defective in form and substance; that is to say, that the specifications under charge first are either vague, or frivolous, or extra-constitutional, or, where not seriously defective in form or substance, do not constitute an offense.

To illustrate: Specification first, regarding the use of "equivocal language," is defective, because it is no specification in any proper sense. It quotes no passages from the writings of Prof. Swing; that is to say, no words or phrases on which the charge of

equivocation is based. Moreover, if it were not defective in form, the matter of the charge would not constitute an offense. Moore's Digest, pp. 304, 306, case of Craighead and case of Barnes. Specification fifth is too vague to be admitted. If, however, a meaning be allowed, the matter charged does not constitute an offense. No minister is required to preach doctrinal sermons, and the specification does not deny that the evangelical doctrines are interwoven in the discourses of Prof. Swing.

Specification third, relating to a lecture delivered in a Unitarian chapel, to the extravagant laudation of John Stuart Mill, and also to the cataloguing of Robert Patterson and Robert Collyer together, and also to local religion, and specification eleventh, relating to a comparison of the chances of Penelope and Socrates, and Catherine II. at the gate of heaven, are frivolous, and not within the allowance of this court.

Specification sixth, relating to modes of verifying truth; and specification seventh, relating to "Evolution or Development," and "the low idolatry of primitive man;" and specification fourteenth, relating to the inward call to the ministry; and specification fifteenth, relating to "Old Testament sacrifices;" and specification sixteenth, that "religion is represented in a form of mysticism;" and others in whole or in part, are extra-constitutional, and involve questions which the Presbytery is not competent to determine.

The foregoing are not exhaustive, but only illustrative.

The undersigned protest against charge second: Because it is irregular. It may mean to charge (1) non-belief or unbelief, or (2) heresy, or (3) inconsistency, or (4) duplicity. It is irregular, also, because evidently meaning to charge some fault or deficiency; it charges no overt fault, act, or word, but in form proposes to judge the heart. It is competent for the Court to determine upon a word or an act, as contrary to the profession of the same, but it is not competent for the Court to determine whether a man at heart loves his church or loves his creed. What Prof. Swing is alleged to have said to Mr. Collyer and Mr. Shufeldt cannot be a part of the charge, but are simply in evidence to that which is beyond the jurisdiction of the Court, viz.: the mind of the accused with reference to the Confession of Faith.

The charge in the form in which it now stands is not identical in law or propriety with a conceivable charge, viz.: that Prof. David Swing, having declared and professed his belief in the Confession of Faith as containing the system of doctrine taught in Holy Scripture, has spoken publicly and privately in a manner seriously inconsistent with such a declaration and profession.

The undersigned protest that, while it is proper to allow a wide scope to a prosecution, and, while a long array of irregular and frivolous charges offer moral advantages to the accused, the cause of justice and the dignity of the Presbytery are compromised by going to trial on the before-named indictment.

(Signed.)

ARTHUR SWAZEY,	M. M. WAKEMAN,
J. T. MATTHEWS,	GLEN WOOD,
S. B. WILLIAMS,	JACOB POST,
E. L. HURD,	E. H. CURTIS,
E. N. BARRETT,	J. H. WALKER,
E. R. DAVIS,	A. H. MERRILL.

Horace A. Hurlbut, Esq., was sworn, and testified as follows:

DIRECT EXAMINATION BY REV. MR. NOYES.

Q. Are you an elder in the Fourth Presbyterian church?

A. Yes, sir.

Q. Were you an elder in the North or Westminster church previous to the union of those churches?

A. I was, in the North church.

Q. You were an elder in the North church when the question of the union of those two churches was brought up for consideration?

A. Yes, sir.

Q. In considering this question, was there any testimony given as to the orthodoxy of Prof. Swing?

A. There was, in the session of the church. There was a consultation in the session.

Q. By whom was that testimony or assurance given?

A. We consulted our pastor at that time, who was the pastor of the North church, Mr. Marquis.

Q. Of what character was his testimony upon this point, given to the session?

A. The character of his testimony as to Mr. Swing's soundness?

Q. Yes.

A. It was that he considered him sound. I don't know any other way to express it. There was no question of his fitness.

Q. Have you listened to the preaching or teaching of Mr. Swing since the Fourth church was organized?

A. Yes, sir; not steadily, but a good deal of the time.

Q. Has he preached and taught the doctrines commonly called evangelical?

A. In my opinion, he has.

Q. Has he been faithful and diligent in the exercise of the public duties of his ministry?

A. In my opinion, he has.

Q. Do you know anything about a paper signed by, or purporting to come from, the session of the Fourth church to which their

signatures—the elders' signatures—are attached?

A. I know of such a paper.

Q. Did you sign it?

A. I did not with *my* hand, but I did it by my instructions.

Q. You authorized your name to be signed?

A. Yes, sir; I authorized it to be signed.

CROSS-EXAMINATION BY PROF. PATTON.

Q. I understood you to say that you remember that Mr. Marquis said that he, Mr. Marquis, thought that Mr. Swing was sound.

A. That he considered him sound.

Q. It is a matter of memory with you as to what Mr. Marquis said?

A. It certainly must be. It can be nothing else.

Q. It was a matter of opinion with Mr. Marquis as to what Mr. Swing's views were?

A. I presume so. I don't know anything about Mr. Marquis' opinion.

Prof Patton.—I object to that portion of the examination that refers to Mr. Marquis' opinion, and to Mr. Hurlbut's opinion, and I move that it be stricken out.

Mr. Riddle.—The objection is not in time. He should have objected to the questions themselves, *seriatim.*

The Moderator.—Prof. Patton's dissent to their reception by the Presbytery can be recorded.

Prof. Patton.—I shall not press the question.

Rev. Mr. Davis.—Do you wish your dissent recorded?

Prof Patton.—No, sir.

Rev. Dr. Swazey—How long have you been in the Presbyterian church?

A. As a member of the church?

Q. Yes; as a member of the church.

A. Twelve or fifteen years.

Q. How long have you been an officer in the church?

A. I can't remember the dates—about eight years I should say.

Q. To which branch of the church did you belong; I mean referring to the time previous to the union?

A. To the Old School Presbyterian Church.

Q. Have you in former times taken considerable interest in what is called the doctrinal position of the Presbyterian church?

A. Well, not a large interest in it.

Q. Do you think enough, sir, to qualify you to be a pretty good judge of the soundness of a man as to his theology as determined by the Confession of Faith?

A. I hope so.

Elder Barber.—Do you know anything of the length of acquaintance of your former pastor, Marquis, with Mr. Swing, prior to the time of that consultation you refer to?

A. His acquaintance, to my knowledge, was during the time that they were pastors of their respective churches, on the North side of the river.

Q. How long a period of time was that?

A. A few years; I couldn't say exactly, sir.

Q. Do you know anything of that acquaintance or the point of intimacy?

A. I never saw them together.

Prof Patton.—Mr. Moderator, it certainly must strike the Court that Mr. Marquis' opinion about Mr. Swing's soundness cannot be a matter of evidence under any circumstances, and still less under such circumstances as these. Mr. Hurlbut has testified as to Mr. Swing's soundness, by bringing in Mr. Marquis' opinion about it. I move that that be stricken out. I object to the question.

Elder Barber.—My object is to show the value of the opinion expressed by the Rev. Mr. Marquis. If the witness knows anything of their intimacy or intercourse, I think it will have a bearing, and if he does not, it will not.

Rev. Mr. Faris.—Don't Judge Barber know that hearsay testimony is not admissible?

Elder Barber.—I asked him as to his knowledge of that intimacy. He is capable of answering if he does or does not know it.

The Moderator.—Mr. Hurlbut's testimony upon that point has been given and was not objected to when given, and Mr. Barber's question is directed to the value of the statement of his opinion.

Elder Barber.—Do you know of that intimacy of your own knowledge?

A. I know of the intimacy in this way: The churches were then talking of being united, and for a time they might need both pastors over the united churches.

Q. Did you hear any doubts expressed by Mr. Marquis as to the theological soundness of Mr. Swing?

A. Never.

Prof Patton.—You said you were able to

judge of the soundness of the Presbyterian church?

A. I beg your pardon; I said I hoped I was.

Q. Well, I hope so too. Will you be kind enough to tell us what the Presbyterian church believes as to the person of Christ; who Christ was, and what He is?

A. I can tell you what I believe, sir.

Q. Well, please tell me what you believe.

A. I believe that Christ is God.

Q. Does that sum up your belief?

A. I think it covers it in its broadest sense.

Q. It covers all you know about Christ?

A. No, sir.

Q. What else do you know about Him?

A. Do you mean by personal experience?

Q. No; simply as a theological fact.

Rev. Mr. Glen. Wood.—It would take a man all day to tell us what he knows about Christ, and not tell it all then. I don't think the prosecutor could tell us in a week.

The Moderator.—The question is admissible.

Prof Patton.—You say you believe Christ is God, and you say that covers your belief?

A. In the broadest sense. I believe Christ is equal with God. I believe he died to save sinners, and through Him, and Him alone——

Q. That is sufficient on that point.

A. I was trying to get at what you wanted me to state. I will say as much more as you desire.

Q. Then, as I understand it, Christ came into this world and was just God in the world?

A. I didn't say so.

Q. Was he anything else than God?

A. He was God manifested in the flesh; not only God but the Saviour.

Q. What do you mean by manifested in the flesh?

A. Well, those particular points. I would have to refer you to our Catechism to give you a correct answer.

Q. Will you be good enough to state what our catechism does state on that subject?

A. My memory is not exact. If you will allow me to get the catechism, I will read from it, and submit it as my belief, sir.

Q. You say that your memory is not exact?

A. On what point?

Q. You have stated that as a proposition in general terms.

A. My memory is not exact.

Q. You have stated that Mr. Swing has preached sound evangelical doctrine?

A. In my opinion, he has.

Q. What is your view of the teachings of the church, as to the doctrine of the Trinity, Mr. Hurlbut? What does the Presbyterian church believe on the subject of the Trinity?

A. That there are three persons in one God, equal in power and glory.

Q. That is very nearly correct.

A. I would not expect to state it exactly. It is some time since I have repeated them.

Q. Then you say that the belief that Christ is God covers your idea of Christ?

A. I did not say so. I said in its broadest sense.

Q. So, if you should hear a man who would say that Christ was God, you would consider that he held to the doctrine of the Presbyterian church on this subject?

A. I didn't say so.

The Moderator.—I do not think the witness understands, Prof. Patton, that you refer particularly to the person of Christ. Isn't that so?

Prof. Patton.—Yes, sir. I am referring to the person of Christ, but I pass from that question. I don't think I have any further questions to ask.

Rev. Mr. Noyes.—State whether you know that Mr. Marquis and Mr. Swing exchanged pulpits before the union of the two churches.

A. I can't say definitely, but my impression is that they did. I know we united in our other service.

Prof. Patton.—How long have you heard Mr. Swing?

A. I have heard him since the union of the churches.

Q. Since the union of the Westminster and the North churches?

A. A part of the time.

Q. Have you been a regular hearer of Mr. Swing during that time?

A. I have not been a constant hearer until we went into our new church.

Q. How long have you been in your new church?

A. We moved last winter—the first of January, about.

Q. Previous to that time I understand you to say, you did not hear him regularly?

A. Not every Sunday.

Q. You were a member of the Fourth church, were you not?

A. Yes, sir.

Q. Did you leave the Fourth church to go elsewhere?

A. To go elsewhere?

Q. Yes.

A. Leave the church? No, sir.

Q. Then I understand you to say you did not wait regularly upon Mr. Swing's ministrations?

A. Yes, sir, I will explain that, sir, by saying a good deal of the time I was out of the city.

Q. Was the reason for your not attending, the fact that you were out of the city?

A. That was the reason, when I was out of the city.

Rev. W. F. Wood.—As for the reason for changing, it was not in the sense of withdrawing his letter and taking it to another church, but simply changing because he was out of the city?

A. I did not change it permanently.

Q. Did you change it for any length of time from listening to Prof. Swing's preaching, to some other minister's preaching?

A. I desired to hear some one else preach.

Q. You do not mean changing on one Sabbath, as any of us would?

A. That is about all the change there was.

Q. There was no change for any length of time?

A. No, sir.

Q. Did you absent yourself from Prof. Swing's preaching because you did not think you got the gospel there?

A. No, sir.

Rev. Dr. Hurd.—Was it because you lived a great distance from the church?

A. That was one reason, and another reason was: Standard hall was an inconvenient place to go to,—an inconvenient room—and another was, that I desired to hear other preachers while I was living in this section of the city.

Prof. Patton.—State whether you regard this prosecution as an attack upon the Fourth church?

A. Well, I do, as one of the bodies attacked, not alone the Fourth church.

Q. Do you regard it as an attack upon the elders of the Fourth church?

A. I do, as one of the elders.

Q. Do you regard it as a personal attack?

A. Upon me?

Q. Yes.

A. No, sir.

Q. I mean upon you in your relation as an elder?

A. No, sir.

Q. Or upon the eldership—upon the session?

A. Upon the church.

Q. Upon the session?

A. I suppose the session would be considered the officers of the church, and an attack upon the church would be an attack upon the officers in their official capacity.

Q. Regarding this prosecution in the light of an attack upon the church; you are very anxious, therefore, as to the result of the prosecution, are you not?

A. No, sir, I have not the slightest anxiety about it.

Q. That is using the word anxiety in a state of doubt. You have your preference as to the way it should terminate?

A. I should prefer that it terminated here with the Presbytery.

Q. You would not call yourself a disinterested party in this case?

A. Not at all.

Rev. Mr. Carden.—What churches did you attend in this part of the city?

A. Mr. Mitchell's church and Dr. Patterson's church.

Q. In your opinion, do you think Prof. Swing brought out the nature of Christ and the office of Christ as fully as did those ministers whose sermons you attended?

A. Yes, sir.

Rev. Dr. Patterson.—I submit that it is not a proper question.

The Moderator.—The witness might decline to answer such a question as that.

Rev. Mr. Brobston.—Did you ever hear Mr. Swing preach anything in relation to the eternal destruction of infants in hell?

A. No, sir.

Q. Did he ever say that that doctrine was found in the Confession of Faith of the Presbyterian Church?

A. I never heard him say so.

Q. It is charged upon the Presbyterian Church, and if so, I never saw such a doctrine stated there. It is a slander.

The Moderator.—Please confine yourself to questions, Brother Brobston. Are there any further questions?

Rev. Dr. Patterson.—I would ask you, Mr. Hurlbut, if you feel you have any personal interest in the result of this trial any further than as you are connected with the

church of which you are an officer, and the Presbyterian Church of the United States?

A. No other, sir.

Rev. Mr. Noyes.—Do you mean as though it could be due to any prejudice, that you could regard this prosecution as an attack upon the Presbyterian Church?

A. Not any.

Rev. Mr. Walker.—You accept the statement in reference to Christ as made in the Catechism, do you?

A. Yes, sir.

Rev. Dr. Patterson.—You believe that Christ is truly man as well as truly God?

A. Yes, sir.

Prof. Patton.—What did you mean by saying that Christ was truly man?

A. I meant just what I said. I can give no plainer definition than that.

Q. I think you could. What do you mean by saying Christ was a man?

A. I mean that he took upon himself the form of man, subject to temptations, but without sin.

Q. Do I understand you to say that you cannot express that any more distinctly?

A. I can with this book, sir. [Referring to a Catechism.]

Q. Well, with the book, then.

A. The Catechism—I refer to that, to the exact words.

Q. As expressing your sentiments?

A. Yes, sir.

Testimony read, and approved by witness.

(Signed,) HORACE A. HURLBUT.

The counsel for the accused was permitted to introduce as evidence, the following letter from Professor Swing to the Rev. D. X. Junkin, D. D.:

CHICAGO, Feb. 2, 1874.

D. X. JUNKIN, D. D.

Dear Friend:—A great many duties will prevent me from writing to you a long letter, but the state of the case is such as not to require any very lengthy article from my side of the house. Your reason for addressing a series of letters to me is not well founded when you base it upon any association you may once have sustained to my people, for of the 2,000 persons who attended our sanctuary in the past two years, not ten persons of the multitude ever sat under your valuable preaching in your good by-gone days. The general desire, upon your part, that truth should always have a wise and zealous defender, is all the reason you need wait for, before embarking upon this ground, your letters are proper enough. The question beyond that turns upon the kindness of *The Presbyterian*. Let me briefly call your attention to the business in hand.

1. "Your plan of an eclectic rule of faith, to be culled from the bible by human taste and criticism, is not original with you." I should think not, for I never held to any such rule, nor ever breathed a word in favor of it anywhere.

2. "Your theory goes, as I hope to prove, much further than you desire." I do not desire it to go at all. These being your only points in the first letter, let us, hand in hand, walk over to your second article upon an Eclectic Rule of Faith.

"Your objection to stoning a man to death." We had no objection. We said *that* was the inspired law of one age and nation only, and hence God must have revealed a temporary morality in that law, while the real grace and truth for all ages came through Jesus Christ. Inasmuch as your second letter is founded upon this one idea, that I objected to Mosaic cruelty, and inasmuch as my point was that the inspired seventy of the Mosaic age was not designed as an unfolding of the world's perpetual Christian method, I must dismiss your second letter, as containing no application whatever to any views ever taught or entertained by myself. Let us, good doctor, advance now to your third discourse.

3. "And now for a few of the parts of the Old Testament which you say cannot be inspired." We never in any way intimated that any part of the Old Testament was not inspired.

4. "You assume that in no circumstances could Jehovah enact the *lex talionis*." Never assumed anything of the kind, but on the contrary, showed that God did give such a law, and that Christ just as divinely *repealed it*, and that such repeal reached the 109th Psalm.

I perceive, doctor, that I have quoted from the third letter assertions which I have assigned to the second, but this is not important, for the chief purpose of this is not to pick out the formal propositions of your rather full discourse.

5. "Your taste is shocked at some of the historical statements of the Old Testament. You think such narratives cannot be inspired and ought not to be in the book." All which charge is false, in every word and import. I never said anything of the kind, or revealed any such taste at any time or place. Not, my dear, venerable father, that you would tell a falsehood, but that the charge is false in every particular.

6. "You may ask, *cui bono?* of what use is such a record?" Having come to middle life without having raised this question, and not feeling the dawn in my soul of any such intention, let us pass to other matters as found in your grand fourth letter. But here we read only a general application of your previous propositions, and the propositions being all elaborated from your consciousness,

like the German transcendental history of the camel, the application applies no more to me than to any other member of the great American republic.

7. "Why, then, do you blame God for doing through the instrumentality of Moses." This is easily answered. I never did so blame God, anywhere, any time.

8. "Of course your line of reasoning will force you to condemn God." We have no such line of reasoning as has been hinted at in your letters, and hence we will never reach the conclusions you so confidently predict.

For the sake of the readers of *The Presbyterian*, before whom you have spread out the most wonderful piece of religious literature which it has ever been my pleasure to read, I shall state here briefly, but carefully, the views which I hold regarding the moral quality of parts regarding the Old Testament. There is nothing new in the views. My public relation to them results from the accident that I was invited to preach upon the moral status of the Old Testament. When God authorized the Israelites to wage exterminating wars, He was not announcing a perpetual law of human conduct, but was authorizing an act rather than a law. When the old divorce law was passed it did not embody an eternal principle. Neither did the law that stoned to death a rebellious son, and that demanded eye for eye, and tooth for tooth. If the exterminating wars were ordered for an age only, and if the principle is not perpetuated in the Christian era, then God must have arrested it, because it was not an eternal law of right. These temporary, defective principles, good for a time only, were designated *inspired depravity*, to distinguish them from the wicked acts of men not acting under command of God. The personal sins of the patriarchs were ordinary depravity, and presented no enigma to the sceptical, but the moral quality of the old divorce law, etc., inasmuch as God was their author, could not have been superseded by Christ on the ground of their being a human weakness. We were, therefore, driven to the conclusion that a defective moral principle could have been given by inspiration. Such laws could do a good work for a time, and then could be repealed by the God in the New Testament, who had set them up in the old. Jesus Christ, therefore, and His Testament, are the revelation of the everlasting true and right. His divorce law repeals the old writing of divorcement, His persuading by preaching supersedes the exterminating wars, His "praying for enemies" supersedes the psalms, in which the Hebrews cursed their enemies. Rationalism is founded upon reason, but this theory is founded upon the supernatural in Christ, and has not one trace of rationalism in it. From first to last, it is purely Christian. Should you, Dr. Junkin, instead of drawing from your creative fancy, wish to discuss my views, you here have my theory, and you will always find me "at home" in it, ready for your delightful chit-chat, summer and winter, night and day.

With kind wishes, yours,

(Signed.) DAVID SWING.

Mr. Noyes here stated that, if the prosecutor consented, he was willing to submit the case at this stage to the Court without debate. The proposition was declined by the prosecutor.

The Presbytery then adjourned with prayer, to meet on Tuesday, May 12th inst., at 10 o'clock A. M.

TUESDAY, May 12th, 10 A. M.

The Presbytery assembled and was opened with prayer.

Inter alia:

The committee to prepare reasons for refusing the prosecutor's request for a continuance of the trial reported the following which was adopted:

The Presbytery, having decided that the final request of the prosecutor for a continuance of this case be not granted, record as the reasons for this decision that it had become apparent,

1. That there was no reasonable probability that the testimony of the proposed witness, Robert Laird Collyer, could be obtained in a reasonable length of time, even if it could be obtained at all; and

2. That the testimony in question, even if obtained, and if of the character alleged in the specifications, could not be considered in any proper sense sufficient to prove such specifications.

(1.) Because it would be completely rebutted by affidavits already on the records of the Presbytery.

(2.) Because, according to the Book of Discipline, chap. VI, sec. 6, it requires the testimony of more than one witness to sustain a charge, and, in the judgment of the Presbytery, there was no other witness whose testimony went to sustain the charge specified by the prosecutor to be proven by said Collyer, and the prosecutor had submitted all his available parole evidence.

(3.) Because the Presbytery had been advised by the prior statements of the prosecutor that he knew that the said Collyer had recently departed for Europe—with the intent of an absence until next September—before he preferred the charge in this case.

(4.) Because said final motion for continuance was stated by the prosecutor to be based simply upon his said former affidavit for continuance presented at a preceding session of this meeting, and supported by the said Kentucky affidavits, one of which discredited itself in the judgment of the Presbytery by swearing to a statement made to the affiant by said Collyer of a pretended fact which had been shown not to exist; and for the further reason that the prosecutor's said

affidavit did not state that he could not prove the charges which he expected to prove by said Collyer by any other witness than him.

(Signed,) E. L. HURD.
J. T. MATTHEWS.
R. E. BARBER.

The Committee to assign reasons why the motions of the prosecutor to strike out the testimony of Mr. H. F. Waite should not be sustained, reported as follows, which was adopted:

1. The judicial action of an ecclesiastical court, often, as in the present case, pertains to matters of religious opinions, and even to the impressions made by public services. It is, therefore, not possible to confine the testimony on either side strictly within the technical rules of evidence that are enforced in the jurisdiction of civil courts. But especially is this true on the part of the accused, who is permitted to produce any testimony that has a direct or indirect bearing upon his exculpation. The judicatories of our church, so far as we are aware, have always in such case aimed at substantial equity without much regard to technicalities, and this Presbytery, in adjudicating the present question, has permitted the prosecutor to make charges and to introduce testimony that would not for a moment be admitted in a civil tribunal. The charges and many of the specifications take a very wide range, and the rebutting testimony could not be fairly restricted except by the limit already indicated, and already accorded to the prosecutor. No rule of our church has been produced to require more than this.

2. No rules in evidence applicable in civil courts which could have any proper bearing upon the procedure of this judicatory, would exclude any of Mr. Waite's testimony. Under these rules the accused is accorded many rights that are not granted to the prosecutor. In 1, Greenleaf, Evidence, sec. 53, page 64, we find the following: "Evidence of language spoken or written by the defendant at other times is admissible under the general issue, in proof of the spirit and intention of the party; cases of this sort, therefore, instead of being exceptions to the rule, fall strictly within it." See also 1, Greenleaf, chap. 15, sec. 295 a. It appears also from Phillips on Evidence, vol. 1, page 627, sec. 747, note 1, that wherever in a writing on record there may occur a latent ambiguity which may be made clearer by parole evidence, it is always admissible. See also 1, Greenleaf, chap. 15, sec. 295 a. Again we read 1 Greenleaf, page 62, sec. 51, as follows: "It is not necessary that the evidence should bear directly upon the issue. It is admissible, if it tend to prove the issue or constitute a link in the chain of proof, although alone it might not justify a verdict in accordance with it. Nor is it necessary that its relevancy should appear at the time when it is offered." This principle is clearly as applicable for the defense as for the prosecution.

3. Now, thirdly, the several motions of the prosecution were denied in the application of the foregoing principles, as follows:

1. The first motion was denied because the testimony of the defense was not confined to specification 5, and if it had been, evidence of other language, spoken at other times, was admissible on that issue, the burden of proof resting on the prosecution, against whose evidence any presumption might be raised by proving the previous evangelical character of the respondent's teachings. Besides, the charges and specifications are general and expressly carry the court back to the year A. D. 1867, especially specifications 2 and 3, charge second.

2. The second motion was denied because written sermons are not necessarily the only primary evidence. Such documents are not in the nature of written contracts duly executed. They are merely the speaker's memoranda, from which he may depart more or less, in the delivery. Lectures are also public teachings, and specification 5 refers expressly to preaching or teaching. In this case unwritten expositions of scripture, which are in fact sermons, offered the best evidence, because Prof. Swing, under the extraordinary circumstances of the society when they had no house of worship of their own, preached to very miscellaneous congregations, a large portion of whom might in his judgment be specially benefited by general discussions adapted to their state of mind as partial unbelievers, and he may therefore have reserved most of his more strictly doctrinal teachings for the benefit of his own people to his Wednesday evening lectures. Besides, the entire impressions of regular hearers, are in some respects better evidence as to the evangelical character even of written sermons than the sermons themselves would be, if read before this body in a critical spirit and under the charge of radical defect or error. Moreover, it would be impracticable to read to this body all the sermons of Prof. Swing, delivered during a period of two years and a half, in order to determine the point at issue. The defendant may produce any condensed evidence available in such a case, the burden of proof, of course, being upon the accuser.

3. The third motion was denied for the reasons already given.

4. The fourth motion was denied for the reason stated.

5. The fifth motion was denied for all the reasons aforesaid.

(Signed,) D. S. JOHNSON.
R. W. PATTERSON.
F. A. RIDDLE.

The following resolution was submitted by Prof. Blackburn.

Resolved, That the Presbytery of Chicago overture the general assembly to institute measures at its session in St. Louis in 1874, for the revision of the book of discipline. This Presbytery does not deem it necessary

to refer to any other reasons than the necessity evident on the face of the book for such revision, and the experience of the church.

It was laid on the table for the present.

Dr. Patterson offered the following, which was also laid on the table for the present:

Resolved, That in the judgment of this judicatory it is due to the interest of impartial justice and to the dignity of our ecclesiastical court that the members of this body, and especially the parties, or either of them, engaged in the case now pending, should abstain from the publication and circulation of criticisms upon the action of the court and from public discussion of the merits of the case outside of the judicatory before the final issue is reached.

Prof. Patton then entered upon his argument.

ARGUMENT OF THE PROSECUTOR.

Moderator, Fathers and Brethren: I realize the responsibility of my position, and the difficulty of my undertaking. Grave charges are preferred against a popular minister. He is beloved by his congregation, and he has the sympathies of the city. To many of you he stands in the relation of a warm personal friend. You and he have been in the habit of taking sweet counsel together. It is as if the children of the same family were impaneled as a jury to listen to the charges preferred against one of their number at the hands of a stranger. I should not think it strange if your first impulse were to stand by your friend; and, whatever your doubts may have been with respect to his soundness in the faith, to hush them in your determination to shield him from reproach. I can understand, Mr. Moderator, that other questions might be raised on the threshold of this discussion; as, why interrupt the prosperity of a church by an issue like this? why call men from the active duties of the pastorate in order that they may adjudicate doctrinal issues? Why initiate proceedings which may end we know not where, and be fraught with consequences we know not what? To these questions I answer: We can afford to risk something when the cause of truth is at stake. He who comes to a service like this, it would seem, should bring with him gray hairs and a ripe experience. From my heart I wish that one more deserving of your respect stood in my place to-day. God has seen fit, however, to cast this burden upon young shoulders, and I go on doing His will. What makes me attempt to stem the tide of public sentiment is the consciousness of right, and what unseals my lips in a presence like this is the thought that I plead the injured cause of my crucified Lord. May He who is my Advocate at the right hand of the Majesty on high sustain me in the service which I undertake to do.

Brethren of the Presbytery, Ministers and Elders: You and I have taken the same vows—at least those of us who are ministers have taken these vows—that we will be zealous and faithful in maintaining the truths of the gospel, whatever persecution or opposition may arise unto us on that account. Let me crave your indulgence while I present the evidence and the arguments on which the case of the prosecution rests. Let me ask you to dismiss from your mind all personal questions. Let me ask you to bring to the consideration of the subject a judicial frame of mind. Let me ask you so to act so that your decision shall advance the glory of God, and be for the vindication of His truth.

You will notice that the charges preferred against Prof. Swing are in form of a traverse of his ordination vows. Every minister at his ordination answers in the affirmative this question: "Do you sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the Holy Scriptures?" He answers in the affirmative also this question: "Do you promise to be zealous and faithful in maintaining the truths of the gospel and the purity and peace of the Church?" And also this: "Do you engage to be faithful and diligent in the exercise of all private and personal duties as become you as a christian and a minister of the gospel?"

Prof. Swing is charged, in the first place, to the effect that he has not been "zealous and faithful in maintaining the truths of the gospel," and has not been "faithful and diligent in the exercise of the public duties of his office as such minister."

Now, this first charge is set forth under twenty-four specifications. Let us get fairly before our minds the object of a specification. Suppose that, in general terms, I had preferred the charge that he has not been zealous and faithful in maintaining the truths of the gospel, and had said nothing

else. The accused might very well have said: "In what have I been unfaithful? Where have I violated my ordination vows? How is it possible for me to defend myself against a charge so vague as this?" Therefore, for his sake, and in order that he may be advised of what we intend to prove, we set forth the items in respect to which his unfaithfulness is found; and we say he is unfaithful in these several forms and specifications. Now, if that is true it would seem to follow that it is the duty of the defense to reply to these specifications, and to answer the charges, either by proving that the facts alleged have never existed, or, existing, do not constitute offenses. It will not do for the defense to undertake the disproval of the charges in general terms by proving that Professor Swing has been faithful and zealous in respects other than those set forth in the allegations, as an illustration will show. Suppose, for instance, that I were to charge a member of the church with conduct unbecoming a Christian. Specification first: That at a certain time and place he was guilty of prevarication; that at another time, and under other circumstances, he had broken a matrimonial engagement; that at another time he was presented with a bill for a debt which he had contracted, and being able to pay the same, he refused. Now, clearly, it would not disprove this charge if the defense should undertake to show that the party accused never stole anything, as an offset to the charge that he had told a lie; or that his relations to his mother and sisters had been above reproach, as an offset to the charge of his misconduct with reference to some other person; or that, having owed more or less money, when the bill was presented he did pay that debt, as an offset to the charge that, being presented with this particular bill, and being able to pay the same he did refuse to do so. So that it must be clear, if anything is clear, that the defense is limited to the disproval of these particular specifications. They may prove that Professor Swing is exemplary in his private life. That has not been called in question. They may prove that he attracts a large congregation. That has never been doubted. They may show that, on Wednesday nights, the services are of an evangelical character. Who ever said the contrary? The thing for them to do, and the responsibility which rests upon them, is to disprove these allegations. So that two questions arise: First. These specifications are true, or they are not true. If true they do or they do not sustain the charge. Under each specification come these two questions: First. Is the allegation proved? and second, if it is proved does it constitute an offense? These are the issues before us.

Now, if that is distinctly in the mind of the Judicatory, let us raise the question on the threshold, as to what is the standard by which it is to be decided whether these allegations do constitute offenses. Clearly, what is an offense in one church might not be an offense in another. It is not an offense in the Methodist church, to revile the doctrine of Predestination, nor is it an offense in the Baptist church to speak slightingly of Infant Baptism. Why? Simply because these doctrines are not only not believed by these denominations, but they are positively denied. It is an offense, we take it, to revile the doctrine of Predestination and to speak slightingly of Infant Baptism, in the Presbyterian church. Why? Because these doctrines enter into the very life of Presbyterianism. So the question comes up: What is Presbyterianism? what is the standard of Presbyterianism?

Now, sir, happily, this is a question in reference to which there is no doubt. If the Presbyterian church were called upon to vote to-day, or to answer the question, What are your standards? she would tell you the Westminster Confession of Faith, the Larger and Shorter Catechism, and the inspired word of God; and she would give no uncertain sound. But happily we are not left to the expression of private opinion on this subject. I refer to an authority which will not be questioned even in this Court—the new and latest digest of the deliverances of the General Assembly.

The history of the Presbyterian church has been a history identified with adhesion to the Westminster Confession of Faith; and even though it so happened, unfortunately, in one period of her history, that she divided into two companies, each company took the same Confession of Faith. And when, in the process of time, it seemed wise that the separated companies should come together again, they came together on the basis of the Confession of Faith.

I shall not take up the time of this body by reciting the history of the Presbyterian

church during those years of division. There are older members on the floor of this Presbytery who are familiar with that history. Nor shall I go minutely into the history of those measures which led to this reunion. There are those on the floor of this Presbytery who took an important part in the proceedings which led to this happy result. But, sir, I will call your attention and the attention of the Presbytery to this fact: That never in the history of those proceedings, by one side or by the other, was it ever supposed that the Presbyterian church was to drift from her anchorage, or lose her hold upon the Westminster Confession of Faith. And in proof of that I will read a portion of the report presented in 1868, and containing the "proposed terms of reunion between the two branches of the Presbyterian church in the United States of America." Page 71.

The reunion shall be effected on the doctrinal and ecclesiastical basis of our common standards. The Scriptures of the Old and New Testaments shall be acknowledged to be the inspired word of God, and the only infallible rule of faith and practice. The Confession of Faith shall continue to be sincerely received and adopted as containing the system of doctrine taught in the Holy Scriptures, it being understood that this Confession is received in its proper historical—that is, the Calvinistic or reformed sense. It is also understood that the various methods of viewing, stating, explaining and illustrating the Confession which do not impair the reformed or Calvinistic system, are to be freely allowed in the united Church as they have hitherto been allowed in the separate Churches.

This proposed basis was not accepted, but I read it for the purpose of showing that, while in the interests of what might be called a broad interpretation, it was proposed to allow in the reunited church certain modes of viewing, stating, explaining and illustrating the doctrines—that those modes of viewing, stating and illustrating, were only such as did not impair the integrity of the reformed or Calvinistic system. The broadest basis that was ever dreamed of by Old School or by New, was a basis which contemplated the preservation in its integrity of the reformed or Calvinistic system. But it was thought better, to avoid future misunderstanding, that they should come together on a basis simpler than this, and accordingly, in 1869, (the page I refer to is 91 of the Digest) a plan of reunion for the Presbyterian Church in the United States of America, was adopted; and it reads as follows, section 2:

The reunion shall be effected on the doctrinal and ecclesiastical basis of our common standards. The Scriptures of the Old and New Testaments shall be acknowledged to be the inspired word of God, and the only infallible rule of faith and practice. The Confession of Faith shall continue to be sincerely received and adopted as containing the system of doctrine taught in the Holy Scriptures, and the government and discipline of the Presbyterian Church in the United States shall be approved as containing the principles and rules of her polity.

This plan of reunion was submitted to the Presbyteries. It met with their approval; and the consummation of the union is set forth in the following declaration, (page 96) which was adopted unanimously in both assemblies by a rising vote.

This assembly, having received and examined the statement of the votes of the several Presbyteries on the basis of the reunion of the two bodies now claiming the name and the right of the Presbyterian Church in the United States of America, which basis is in the following, [here follows the basis as already read] does hereby find and declare that said basis of union has been approved by more than two-thirds of the Presbyteries connected with this branch of the church,—and whereas, the other branch of the Presbyterian Church in the United States, now sitting in the Third (or the First) Presbyterian Church in the city of Pittsburg, has reported to this Assembly that said basis has been approved by more than two-thirds of the Presbyteries connected with that branch of the church; NOW, THEREFORE, WE DO SOLEMNLY DECLARE THAT SAID BASIS OF REUNION IS OF BINDING FORCE.

Is this Presbytery prepared to call in question the wisdom of the Presbyterian Church in these United States? Is this Presbytery prepared to take action which would be defiant of the declaration of the General Assembly, whereby the Confession of Faith was declared to be our doctrinal standard? And yet, sir, this Presbytery did listen to the accused, and gave some indication of approval, not in its corporate action, but by the action of individual members, to the plea of Prof. Swing, in which he admitted that he was not in accord with the Confession of Faith—that he had actually departed from that Confession of Faith so far as one or two of its doctrines are concerned; and what is more, when he affirmed in the face of this solemn declaration that the Presbyterian Church was a very different thing actually from what it is in its formulated

theology. Why, Mr. Moderator, the plea of Prof. Swing is an admission that he does not believe the doctrines of the Presbyterian Church, or take this Confession of Faith as expressing his belief and as containing the system of doctrine taught in the word of God.

Now, I have heard it said more than once, and it has even been intimated on the floor of this house, when the body was in deliberative session, that this is an issue which involves the discussion of the questions which caused the separation of the old and the new school. I beg to protest against any such interpretation of the course of the prosecutor. If the prosecutor is advised of the differences which divided this church, he does not find in any of the charges and specifications set forth in the indictment, anything which involves a discussion of those issues. I remember very well that Prof. Swing, in his plea, claimed to be a New School Presbyterian. He was not charged with being an Old School Presbyterian. The plea, sir, had no relevancy, except as it was meant to enlist the sympathies of men on the ground of past divisions.

He is charged, with unfaithfulness in his pastoral work, and in his functions as a Christian minister. He is charged with not sincerely receiving and adopting the Confession of Faith as containing the system of doctrine taught in the word of God—charges, sir, which would have been relevant in any of the years of the churches separation in the Old School or in the New. I have a good opinion, sir, of the New School Church as it existed before the union, and I believe, that that church believed in the inspiration of the scriptures, held to the doctrine of justification by Faith, stood upon the basis of the Nicene Creed, and would have vindicated as readily as the Old School the doctrine that it is through the precious blood of Christ, and that alone, that we have salvation, I hope that the insult will not be offered to that branch, and if it is offered, I hope some prominent member of that former New School Church will stand up to resent it by saying that these are *not* the doctrines upon which the Presbyterian church was divided.

If we are prepared, therefore, to accept the solemn declaration of the two assemblies in the year 1869, to the effect that the Confession of Faith shall be sincerely received as containing the system of doctrine taught in the word of God, and are prepared to act upon this as our doctrinal basis, the simple question before this Presbytery, is whether Prof. Swing has contravened this Confession of Faith or has violated his ordination vows as far as those vows imply a harmony with the Confession of Faith.

If there ever was a time when the Presbyterian church had an opportunity of saying that she had drifted away from her old moorings, if there ever was an opportunity for the Presbyterian church to affirm that the Confession of Faith no longer expressed her sentiments, if there ever was a time that the Presbyterian church was called upon to say that the Confession of Faith was a dead-letter, it was when this re-union took place; and for a minister of the Presbyterian church under grave charges, to stand up and say in the face of declarations made only four years ago that the Presbyterian church no longer believes that Confession of Faith, is for him to offer an insult to the Presbyterian church, and if we were loyal Presbyters we would resent it on the spot.

Now, Mr. Moderator, I wish to pass to the consideration of the specifications of charge one. I set out in the first specification that he has not, in his sermons, given any distinct and unequivocal statement of certain doctrines, (mentioning them) to-wit: Regeneration, the person of our Lord, salvation by Christ, eternal punishment, the personality of the Spirit, the Trinity, and the fall of man. I set out, moreover, that when he does refer to these doctrines he makes use of equivocal language; and moreover, that the language he does employ is all capable of construction in harmony with Unitarian theology.

The sermons have been put in evidence. I shall not read these sermons through. The members of the Presbytery can all get copies of "Truths for To-day;" and I affirm without fear of contradiction—I affirm, *challenging* contradiction—that these sermons do not contain any distinct and unequivocal statements with respect to these named doctrines. The person of our Lord. We know what that means. We believe that Christ is God. We believe that Christ is man—that he had a true body and a reasonable soul. Believing that (I appeal to the experience of ministers), would it not be a strange thing if, in the course of your preaching, you did

not somehow, write a sentence to the effect that Christ was God, or to the effect that Christ was man. Find me a sentence in any of Professor Swing's sermons, in which he speaks of the man Christ Jesus, or of Jesus Christ as God. That is singular, is it not? We believe that regeneration is an act of God's Spirit, whereby he persuades and enables us to embrace Jesus Christ as He is freely offered to us in the gospel. Find that doctrine in any of Professor Swing's sermons. You will find "regeneration," but I will prove to you by and by that you will find that in any Unitarian book.

We believe in the doctrine of "Eternal Punishment;" that is to say, sir, we believe there is to be a final judgment, and that as a judicial act, God will send the wicked into everlasting punishment. I cannot help it if that is a doctrine which is unpleasant to the feelings. It is in the Confession of Faith. I believe it, sir, though that is not the question we are considering; but it is whether it is there. Find that doctrine in Professor Swing's sermons. You cannot do it. We believe in the Trinity. We believe that there is one God; that there are three persons in the Godhead, the same in substance, equal in power and glory Find that doctrine in Professor Swing's sermons. You cannot do it. You can find that the trinity is alluded to. You will find it ridiculed. You will find equivocal statements made respecting it; but find the doctrine. I defy you to do it. We believe in the fall of man. We believe that we all sinned in Adam, and fell with him in his first transgression. Find that doctrine in Professor Swing's sermons. You cannot do it.

Now, I ask you, Mr. Moderator, if it is not a strange thing that a Presbyterian minister, preaching to a Presbyterian congregation, publishing sermons over his own name, and allowing them to go out as representing his mind, should allow these sermons to go out without a solitary unequivocal reference to the doctrines which are cardinal to the Christian religion, and constitute the foundation upon which Christianity rests. A singular thing, sir! But I do not wish to be understood as saying that there are no references in language which unpracticed ears might call these doctrines, because I am going to quote some of them, and I am going to quote some of the strongest passages you can find; I am going to quote some of those passages which the elders of the church, in presenting their testimony, set forth as teaching these doctrines in simple, unequivocal terms, showing the difference between their construction and my construction of the same statements. "Truths for To-day," page 41.

The howls of wild beasts died away from the amphitheatre when this rule was spoken by the Saviour.

Unpracticed ears might say that means salvation in the evangelical sense. Page 64.

The inferences from this dependence of human purity upon God must be these: Christ, in unfolding the character of God, in tearing down all idols, and in filling the universe with one spirit, infinite and blessed, has done a work that should bind Him upon the forehead and heart of man.

I have no fault to find with that sentiment, but it is a sentiment any Unitarian would express. Pages 78 and 79.

Let us approach now a more warmly disputed proposition that the divineness of Christ is something essential in the Christian system. The Trinity, as formerly stated, cannot be experienced. Man has not the power to taste the threeness of one, nor the oneness of three, and see that it is "good." Man cannot "do His will" here and "know of the doctrine whether it be for God." It is not conceivable that any one will pretend to have experienced three persons as being one person, the same in substance, and at the same time equal.

I quoted that to one of the gentlemen on the stand and asked if he regarded it as an unequivocal statement of the deity of Christ, and he said "certainly." It is easy to understand how these brethren who come here to testify in behalf of the fidelity of their minister, say they have heard him preach the doctrine of the deity of Christ, when they take this sentence as expressing the doctrine. It may express it, and it may not. That is the point under discussion.

But while human experience cannot approach the trinity, it can approach the divineness of Christ; for if Christ be not divine, every impulse of the Christian world falls to a lower octave, and light, and love, and hope alike decline. There is no doctrine into which the heart may so inweave itself and find anchorage and peace as in this divineness of the Lord. Hence, Christianity bears readily the idea of three offices, and permits the one God to appear in Father, or in Son, or in Spirit.

That will also be quoted as plenary evidence that he preaches the deity of Christ.

Here is evidence (?) that he preaches the doctrine of the trinity.

And hence Christianity bears readily the idea of three offices, and permits the one God to appear in Father, or in Son, or in Spirit; but when the divine is excluded from Christ, and He is left a mortal only, the heart robbed of the place where the glory of God was once seen, and where the body was once seen rising from the tomb, and where the words were spoken, "Come unto me all ye that labor and are heavy laden," is emptied of a world of light and hope.

That is not the trinity. That is Unitarianism. That is the doctrine of James Freeman Clarke. Page 263, "Truths for To-day."

"In the beginning was the Word." That Greek term which we translate Word had long been upon the tongues of scholars. Its meaning was always somewhat hidden. It seems to have represented the Supreme Being out upon an errand of mercy, or creation, as light flies away from the sun. It is that light before which darkness flees; that life before which death retreats. It is indefinable and inconceivable. Yet John saw this *Logos* entering the human body as light seems to rush into the eye and sound into the ear. It dwelt among us, and beheld its glory, full of grace and truth.

Would any brother here say that is a clear statement of Christ's deity? Well, then, any Arian could say just as much, and we know that. Now, mind, I am not proving or alleging that Prof. Swing denies the deity of Christ or the Trinity. I am simply alleging that he does not teach these doctrines unequivocally. Page 266.

Out of John's soul we see issuing these ideas: Christ, the divine; Christ, the Saviour; Christ, the intimate friend. The opening chapter reveals the divinity of John's master, and the office of Saviour is revealed in every page.

Now before I pass on I want to make good the proposition that these are not unequivocal statements; and I will read to you from Dr. Ryder, who does not claim to believe in the deity of Christ. He says (and I quoted this sentence to one of the gentlemen on the witness stand, and he was not sure whether it was an evangelical sentiment or not), in his sermon entitled "Is Universalism Evangelical?"

Christ is with us literally the hope of glory. Without Him as the interpreter of God to man and the mediator between Him and us, we are without God and without hope in the world.

Dr. Ryder also says:

As to the several theological tenets already named, it may be proper to say, so far as I have any right to speak for the order, that Universalists, in rejecting the doctrine of *original* depravity, put in its place what they think is more rational as well as more Scriptural, and that is *acquired* depravity. Man is created innocent—all men are—but by voluntary acts they become sinners, and so have need of a Saviour to guide and sanctify. The deity of Christ we also reject, but are agreed in our view of the divinity of Christ. On this our creed is specific.

So that divine and divineness do not prove "deity" and "God-head!"

We believe in the fall of man. If there is anything which we regard as important, it is that by one man's disobedience, sin entered into the world, and death by sin, and that so death passed upon all men for that all have sinned. Now, you would hardly think that a Presbyterian minister, officiating in a Presbyterian pulpit, and preaching to Presbyterian people, would ever call in question that doctrine, or would even leave it to the conjecture of his hearers as to whether it was true or not. But let us pass on to page 98.

If God made man upright, then out of that original piety there would have rolled up each day, truth for the day, clear and welcome, clear because welcome. But, if man subsequently fell into a sinful state, then with this spiritual separation the evidence would each century become less in quantity and weaker in power, and we should, after a time, witness a world in which the heart of a sinner would be bound to only the evidence of a saint. Depravity would be seeking conviction from proof that was arranged for a saint. Whether our world is not just such a one I leave to your personal conjecture.

I do not want anybody to leave anything to my "conjecture" when God speaks. Page 76.

If God is the life of the world then the soul that separates itself from Him by unbelief would seem to have broken the chain of perpetual being. Hence some infer the annihilation of the wicked, others their loss of happiness rather than of existence. Page 81.

It is not enough that faith in a divine being is a saving grace, and that repentance is also a saving grace, and that a new heart is possible or pardon is possible to the Christian system.

Repentance! saving grace! new heart! pardon! These are household words in our evangelical families, and the people listening to such expressions never raise the question as to whether they are used in an evangelical or non-evangelical sense; do not know that Unitarians use the same language; and they may, therefore, be pardoned for not raising the inquiry. But one accustomed to these distinctions, and having reason to be conversant to some extent with Unitarian

theology, and being led by the statements of Professor Swing on other subjects, to the presumption that he preaches Unitarian theology, is apt to give these statements very little value until they are very thoroughly scrutinized. They may be orthodox and they may be heterodox; we do not know. Page 81.

Cast yourself into the laws of faith and conversion, and repentance, and love and hope, and of the Divine Lord, and upon these be carried by a new, recreative experience over to a new world, called a new heart here—called heaven hereafter.

What does he mean? Now here are ministers who have studied theology in the seminary, and here are elders who have subscribed to the Confession of Faith: I challenge you to tell me what he means. You cannot do it. Page 179.

Our tears might well mingle with those of the exiled banker, if he be penitent, and we may say along with him, "we stand afar off." This Christ has fulfilled a law which we have broken, and to us, no longer able to flee unto ourselves and find peace, He says: "Come unto *me* all ye that labor and are heavy laden, and I will give you rest."

If the defense quote anything in reference to the sacrificial character of Christ's death, they will quote that passage. Page 238.

Salvation of man, therefore, must be man's transformation from a sinful to a holy nature. It is a return of that which was lost. A legal salvation may be a preliminary or concomitant, but cannot, in morals, be the chief salvation.

Now if there is anything prominent in Evangelical Theology it is that the first thing in salvation is the atonement for our sins by the precious blood of Jesus Christ. If Prof. Swing admits that doctrine he slurs it over and passes i[illegible]s of minor importance.

In the financial department of life a debtor can be saved by having his debts paid. Condemned to death a criminal can be saved by a letter of pardon, having upon it the seal of a King; but, in morals, a salvation is not simply a discharge from a debt or an escape from a penalty, but a change in the spirit, transition from vice to virtue.

All through his preaching the antithesis is sin and holiness. You are bad, and therefore made to suffer. Be good and you will be happy. Not one word of the expiation which comes to us through the satisfaction of a broken law, and pardon through the vicarious atonement of Jesus Christ.

In the dark Kansas days there was such a thing as "constructive treason," a treason inferred from resemblance to real treason; but there can be no such thing as an inferential salvation, a constructive release, a technical escape. The meaning of the term is to be determined by its location. In morals salvation is spiritual perfection. The forgiveness of past sins, the payment of a moral debt, may be preliminaries, or attendant events, and may, by their importance, aspire to the name of a rescue; [The sacrifice of Christ "aspiring to the name of a rescue!"] but these titles are the gift of gratitude rather than of fact, for after a man's sins are all forgiven or atoned for, he stands forth still *lost*, for he retains the low nature that produces sins and made necessary the pardon or the atonement. If to us, lost in a wilderness, without a sun, or a star, or a path to guide, there comes a benevolent hermit, a dear mentor, and leads us to the right path, and sets our faces homeward, he is at once our saviour; but our perfect salvation will come from our *going that path*. Our *going* and the *mentor* combine in the escape; and yet he lives in memory as the kind saviour of our bewildered hearts.

Also page 136. I am quoting from "Truths for To-Day."

If our able statesmen, with the written Constitution before them, have thus far been unable to determine whether the document permits or forbids the system of National banks, why is it such a shameful phenomenon when clergymen differ about the word "atonement" or signification of the word "everlasting," or the word "inspiration" itself.

It is pretty clear that Prof. Swing regarded doubt upon these subjects as at least pardonable.

Now these statements will appear in their light as being more or less equivocal, if I read to you certain portions of a book which is printed by the authority of the American Unitarian Association, and the author of which is James Freeman Clarke. It is entitled "Orthodoxy: Its Truths and its Errors." Page 152.

The gospel of Christ, as we understand it, undertakes to effect an entire change—a radical reform in human character.

Now suppose I am evangelical, preaching to you, an evangelical audience; I want you to say whether I am not preaching evangelically.

It proposes to reform this life by changing the heart, by giving it new aims, new affections, new aspirations, new objects of love and pursuit. Jesus does not endeavor to alter and improve, a little here and a little there, on the outside of the character, to improve a little our modes of character in this and to the other particular; but he alters the character by altering the fundamental ideas and inspiring inward life. This wonderful

change, which takes place in the profoundest depth of our nature, under the influence of the gospel—this great event of life, which forms the turning point of our being and history—is called in the New Testament 'the new birth," "regeneration," "to be born again," "to be baptized with the Holy Ghost and with fire," "to put off the old man," "to have Christ formed within us."

I do not think Prof. Swing ever said anything more decided than that.

Now let us read what he has to say on the subject of God. Bear in mind he is a Unitarian. Page 205.

Those, therefore, who could find God nowhere else, found him in Christ. Those who saw *him*, saw the Father. As when through a window we behold the heavens, as when in a mirror we see an image of the sun, we do not speak of the window or the mirror, but say that we see the sun and the heavens, so those who looked at Christ said that they saw God.

The Apostle said that God was in Christ, and this was wholly true. Christians afterwards said that Christ was God; and they thought they were only saying the same thing. They said that Christ had a divine nature as well as a human nature; and in this also there was no essential falsehood, for when we speak of our nature, we intend merely by it those elements of character which are original and permanent, which are not acquired, do not alter, and are never lost. God dwelt in the soul of Christ thus constantly, thus permanently. The word thus became flesh, and dwelt among us. The word of the Lord came to the prophets, but it dwelt in Christ. He and his Father were able to see God manifested in man as a living, present reality. "Here," they say, "is God; we have found God. He is in Christ. We can see Him there."

Is it any wonder that men should have called Jesus God? that they should call Him so still? In Him truly "dwelt the fullness of the Godhead bodily;" and this indwelling spirit expressed itself in what He said and what He did. When Jesus speaks it is as if God speaks. When Jesus does anything it is as if we saw God do it. It becomes to us an expression of the Divine character. When Jesus says to the sinner, "Go and sin no more," we see in this a manifestation not merely of His own compassion, but of God's forgiving love; and when He dies, although God cannot, yet He dies according to the Divine will, and thus expresses God's willingness to suffer for the redemption of the world.

When we look at Christ's Divinity from this point of view, the distinction between the Trinitarian and the Unitarian seems almost to disappear. Still the question remains, Is it right to call Christ God? The distinction remains between saying "God was in Christ" and saying "Christ was God." In short, was the *person* of Christ human or Divine? We agree with the orthodox in saying that Christ had two natures—a Divine nature and a human nature. We also maintain that he had one person. But the question comes, was that one person Divine or human, finite or infinite, dependent or absolute? The consciousness of the one person is a single consciousness. Christ could not at the same time have been conscious of knowing all things and of not knowing all things, of having all power, and of not having it, of depending on God for all things, and of not depending for anything. One of two things alone is possible.

Either Christ was God, united with a human soul, or He was a human soul united with God. When Christ uses the personal pronoun I, He must mean by that I either the finite man or the infinite God. I believe the Unitarian is right in saying that this personal pronoun I always refers to the finite being and consciousness, and not to the infinite being.

That is honest. I like a man to come right out and say what he thinks. What I wish Professor Swing to do is to tell us what he means. You will not find as clear statements in anything he has written—not a solitary syllable on record about salvation, regeneration, etc., to which Freeman Clarke would not say "amen."

Read his statement on the subject of the atonement of Christ, for James Freeman Clarke endorses Horace Bushnell's view of the atonement. Page 264:

In conclusion we may say that orthodoxy is right in maintaining that Jesus has, by His sufferings and death, brought forgiveness to mankind, not by propitiating God or appeasing his anger; not by paying our debt or removing a difficulty in the Divine mind; but by helping us to see that the love of God is able to lift us out of our sin, and present us spotless in the presence of His glory with exceeding joy. The way in which His death produces this result is the sympathy with human sinfulness and sorrow, which finds in it its highest expressions. Those whom men cannot forgive, and who cannot forgive themselves, see that God, speaking through the sufferings of Jesus, is able to forgive them. So the love of God brings them to repentance, and those who were afar off are made nigh by the blood of Christ.

Professor Swing preaches about the cross of Christ, and says that Jesus fulfilled the law we have broken, but he has said nothing about salvation by the blood of Jesus Christ, that James Freeman Clarke and Horace Bushnell would not avow.

I hope I have made good the allegation in the specifications. I set out to show that Professor Swing does not make any unequivocal statement in respect to certain doctrines.

I have challenged contradiction. I have read his sermons, and hope the court have, and I have shown that his statements, so far as they refer to these doctrines, are all capable of being construed in a Unitarian sense. Do not the quotations from James Freeman Clarke sustain me in that position?

Now, I wish this question to go home to the consciences of the members of this court. Are you willing to go on record as saying that a man is faithfully maintaining the truths of the Gospel of whom it is proved that, during the course of his public ministrations, or, at all events, in the sermons which have been published over his name, he has never said a solitary syllable to set him off from the Unitarians, and to prove that he believes and sets store by, and is willing to stake his life upon, the cardinal doctrines of salvation through the propitiation of Jesus Christ. I am willing to believe that this Presbytery has a sufficient regard for these doctrines to pass no such vote as that, much as it loves Professor Swing, and anxious as it would be to see him acquitted of these grave charges. If anything is true it is true that the doctrine of the Deity of Christ divides the logical world into two hemispheres, just as the equator divides this earth. And are you going to say that a man is faithful who will allow himself to be claimed by men who carry on their banners an impeachment of the Lord Jesus Christ, and to be claimed without contradiction? Do you consider a man faithful to his ordination vows who stands all the time in this position of perpetual equinox, always crossing the line and never being in a position where we can say he is on one side or the other. You know the effect, and it is not necessary for me to prove it. It would be an insult to the intelligence of the house for me to undertake to prove that grave doubts have existed as to his theological position. Hardly a daily newspaper but affirms in his behalf that he has cast away the old doctrines upon which we stake our faith, and which we regard as vital. Not a member of the Presbytery but has been troubled with respect to his doubtful utterances and vague forms of expression. As long ago as 1867 a member of this court, an intimate friend of Professor Swing, a man who held a public position, and was therefore able to know something in reference to the opinions of his brethren, wrote a letter, in which he said:

"His dubious statements cause us great trouble, and we do not know but he will force the Presbytery to bring him to account."

A man whom we respect as much as Dr. Patterson—a man who has stood in this community as a representative of Presbyterianism, and whose opinion is of value, wrote in a religious newspaper, over his own name, the following words:

"Nor do I appear as an apologist for Professor Swing's peculiar style of preaching. So far as he avoids a clear and unequivocal statement of the central doctrines of Evangelical Christianity, his preaching seems to me seriously defective."

In the face of that testimony, and in the face of the letter written by Mr. Trowbridge, and offered in evidence, and in the face of the fact that Mr. Young testified that Mr. Swing admitted to him that he was claimed by the Unitarians; and the further fact that Professor Swing admitted on the floor of the Presbytery that he was claimed by the Unitarians, and the further fact that Mr. Thompson went to him and advised him that it would be better for him to be more explicit, and remonstrated with him in respect to his doubtful utterances, I ask you if a man is excusable for being silent and remaining in a doubtful position? Was it not his duty to avow himself distinctly? Have we not a right to interrogate him as to his particular views on these questions? I shall be met with the reply that he has answered—that he has satisfied all honest doubt and all reasonable inquiry.

Professor Swing's plea was just a reaffirmation of allegation First, to wit: That he was in the habit of using vague and equivocal language to the manifest injury of his reputation as a christian minister, and to the injury of the cause of Christ. What does that plea mean? I listened and was anxious that something should be said by him which would relieve the doubts on my mind which have been in existence for months past; but when the plea was concluded I felt as much bewildered as ever. If I ever felt I had a reason to carry on the prosecution, it was then; if I ever felt that the Presbytery should be put right on doctrinal issues; if I ever felt that the Presbytery had responsible duties to discharge, it was when he stood upon this floor and insulted the Presbyterian church, and said he had departed from the faith of

the church, and undertook to lead the Presbyterian church to a Confession of Faith which he had formed.

I will now examine his plea. He says there are "certain doctrines upon which he is willing to meet the skeptical world," and he names them. The question is not whether he is to meet the skeptical world at all. The question is what *he* believes. He has not told us. It will be alleged by his friends that that was meant as a categorical affirmation of his belief. I do not deny that it was meant for that. It is not a categorical affirmation of his belief, nor such a statement as the Presbytery is entitled to have. But grant that it is, what is it? What are the doctrines? "The divinity of Christ!" What does he mean? Do not the Universalists believe in the divinity of Christ? Do not the Unitarians believe in the divinity of Christ? There is a world of difference between the statement "Christ is divine" and the statement "Christ is God." If he meant that he believed in the Deity of Christ, why did he not say "I believe Jesus Christ has a true body and a reasonable soul?" Why does he not say "Jesus Christ is God and man in two distinct natures and persons?" That is what we want to know.

I come now to the subject in reference to which I expressed doubts in the *Interior* newspaper, of which the world has heard before to-day.

He believes in the "Inspiration of the Scriptures." Who said he did not? But what does he mean by that? There is a vast latitude when you undertake to speak about the Inspiration of the Scriptures. His "inspiration of the scriptures" must be defined by what he has said about the Scriptures. When I come to that portion of my argument I shall show that Prof. Swing has made use of expressions which, if they indicate his sentiments, are incompatible with the belief in that plenary Inspiration of the Scriptures which this Presbytery requires as necessary to good standing in the Presbyterian church; for I would have you understand that Dr. Patterson brought in a report upon the subject and the Presbytery has committed itself upon the plenary Inspiration of the Scriptures, and you cannot condemn Dr. McKaig, of the Ninth Church, and acquit Professor Swing at the same time, because "the principle in both cases is the same."

He says he believes in the Trinity. What does he mean by the Trinity? You will find that James Freeman Clarke speaks of the Trinity, and if it were necessary to take up the time, I could read a passage in which he says he believes in the Trinity, paradoxical as it may seem; and Plato did, and the Hindoos and Sabellians believe in a sort of Trinity. I want to know if Prof. Swing believes that there are three persons in the Godhead, the same in substance, equal in power and glory, and I am still in the dark. He says he believes in the "mediation of Christ." Dr. Ryder believes in the mediation of Christ, and so do the Universalists. I want to know what he meant when he said "I believe in Jesus Christ as a mediator."

He believes in the final separation of the wicked and the good. So do the Universalists. But does he believe in everlasting punishment—a judicial act inflicted by God for the subservance of His own glory, as that doctrine is taught in the Confession of Faith? He has reviled that doctrine and says that, as it is taught in the Confession of Faith, it is the occasion of infidelity.

I will now read James Freeman Clarke's opinion of eternal punishment. Pages 376 and 377.

Eternal punishments are the opposite of temporal punishments; they have nothing to do with time at all; they are punishments outside of time. * * * Eternal punishment, then, is the repugnance to God of the soul which is inwardly selfish in its will—loving itself more than truth and right. It is the sense of indignation and wrath, alienation and poverty, which rests on it while in this condition. It is the outer darkness; it is the far country; it is the famine which comes to us as a holy and blessed evil sent to save by bringing to repentance the prodigal child who has not yet come to himself.

Take the Confession of Faith which Prof. Swing wishes to be regarded as the platform of the Presbyterian church, and go around with it, and you could get the signature of every Unitarian in the land who holds to the high Arian views—get that of every Universalist in the land who holds to the "new departure" in Universalism.

But Prof. Swing says he holds these doctrines in their "evangelical sense." What is understood by "evangelical?" Do not the Unitarians claim to be evangelical? Do they not consider it a piece of impertinence on the part of Presbyterians, and Episcopalians, and Baptists, and Methodists to arrogate the exclusive title of "Evangelical?" Is it not a matter of knowledge that the *Inde-*

pendent has been trying to prove that the Universalists are evangelical? Says Dr. Ryder:

Do we then ask to be regarded as evangelical? Most assuredly we do. For that is what we are. We ask to stand where we belong. We are part of the history of the Church of Christ—no outside party—no religious parasite, but a vital element of the spiritual body of our Lord. True, we hold some views peculiar to ourselves. If this were not so we should not be a Christian sect at all. And the same may also be said of every Christian denomination. But this peculiarity of faith, these "differences of administration," do not rightly enter into this discussion at all, for we are not talking about denominational fellowship, but Christian fellowship.

Prof. Swing says he holds the doctrines in their evangelical import. I do not know what that means. The question is not whether he holds them in their evangelical sense, but whether he holds them as they are formulated in the Westminster Confession of Faith. I say that he has not taught these doctrines, that he has equivocated, and I leave it for the Presbytery to say whether he has been faithful in so far as he has omitted to give distinct and pronounced utterance upon these subjects.

The first and second specifications are so nearly alike that it is not necessary for me to pay any attention to the second, as I have quoted it in the course of my remarks.

I shall now read a few passages without comment, from the *Chicago Pulpit* to illustrate the first specification with reference to his equivocations. In the sermons on "A Religion of Words," and "The Value of Yesterday," we read:

The good deeds of yesterday, the good deeds of to-day, the perfected goodness of the morrow, a deep love for man, a consciousness of the presence of God, will fill the whole face with a nobleness and happiness to which earth has thus far been willingly a stranger. This will be a salvation, and Christ will be a Saviour.

The whole issue with respect to the vicarious sacrifice of Christ is, did Christ die for the sake of men, or for the sake of their sins.

I will now read a passage which one of the witnesses cited as teaching the doctrine of future punishment.

But amid all the fluctuations of patriotism, the law of death for treason yet remains written upon the book of nations. And so in Christianity. However any class or any age may rise above the influence of penalty for sin, yet punishment remains a perpetual fact in its economy of our God. Its dark cloud will rise or fall, according to the quality of humanity. Wherever there are hearts that can see no goodness in holiness, none in honesty, and in charity, none in Jesus Christ, none in the worship of God; wherever there are minds incapable of being led by the intrinsic good of religion, then this dark cloud of divine wrath is ready to descend and to envelop with its thunders the soul that cannot and will not be enveloped by love. The result of sin, expressed in all religions by the word hell, is a perpetual influence, liable to go and come as humanity advances or retreats in the path of intelligence and morals—but it must be a perpetual fact in a world of beings capable of being immortal. A world of sin must be a world of punishment.

Any Unitarian could say that. The witness stopped there, but I will go on:

In days when men cannot whip their children, in days when men are arrested for cruelty to dumb beasts, in days when we teach our children beautiful hymns, and when we reward them for any act of goodness, in days when there are homes for the friendless and for the fallen, and millions are poured out for colleges where anybody can learn any science or art without charge, in days when a child need not be a beggar, in days in which Russia and America are fresh in the glory wreaths of having set free 60,000,000 of slaves, it can hardly be expected that the pulpit, ignoring this grand uprising of tenderness, will daily point the horrors of perdition while the very street is being enchanted by this vision of love. Oh what a betrayal this would be of the pulpit's trust!

In a sermon entitled "The Value of Yesterday," published in the *Chicago Pulpit*, he says:

Yesterday is full of past usefulness, and of its ways and means, full of tears and their causes and cures. In that shadowy domain there stands the cross, and there is the Saviour dying for the vast myriads of a race.

Whether that is evangelical depends upon what is meant by "dying for the vast myriads of a race."

In his sermon on "Salvation and Morality," in which he brings out the idea I am speaking of, that the use of orthodox words does not necessarily convey an orthodox meaning, since words have more than one meaning, he says:

In this shadowy realm we would not wish to throw down the vast response that "he that believes" shall safely pass the mysterious bourne; for faith is such a broad, indefinable word that to substitute it for the term salvation would be to leave us still in the air, obscure. Faith in Christ would be a phrase still more indefinite, for not only has faith many forms, but many forms also attach to the person of Christ. He was a sacri-

fice, but sacrifice has many significations. He was an example. He was a mediator. He was an unfolding of the divine image. Faith in Christ is a phrase which is at once seen to be made of words that are like the bits of colored glass in the kaleidoscope, forming many pictures and all very beautiful.

The following passage was quoted by one of the witnesses for the defense, to prove that Professor Swing believes in eternal punishment:

There is a Christianity that will save the world. It has not only a faith, but it has a morality as essential as its faith. It not only says "believe and be saved," but it assigns damnation to him who leads a wicked life. There is a Christianity that will not only fill heaven with saints, but earth with good citizens. In it Paul and Christ are not rudely separated, and the human placed above the divine, but the morals of the gospels come back to mankind, and the anxiety for faith is no greater than the hungering after righteousness.

Damnation, according to him, simply means the natural consequence of sin. If a man sins he suffers: that is "damnation."

In his sermon on "Soul Culture," page 137, he says:

To live a life amid such surroundings as earth now possesses, must be to live a career of preparation for a world more blessed. To lose one's soul must be to pass through this sublime temple without drinking in its virtue and holy worship, and not only to have rejected the true, but to have suffered the falsehoods of society to rush upon the delicately strung harp of the spirit and break its strings and hush its melodies.

That lets a little light in on what he believes concerning future punishment. He may hold that "He that believeth not shall be damned;" but that is a very rose-water way of putting it.

I now come to the third specification. A great deal has been said about this specification. Brother Riddle wanted to demur before he had a chance to. He is a lawyer and I am the more surprised that he should do it. He wanted to strike out the specification because he did not believe in saying anything about a man that was dead. That is a good maxim on general principles, but it did not satisfy the court; so the specification stands as written. This specification has reference to three facts, and if the facts are admitted, the simple question is as to their criminality: The first is the delivery of a lecture in the Mary Price Collier chapel; second, the publication of a sentiment in the *Lakeside Monthly*, and the third, the preaching of a sermon in eulogy of John Stuart Mill. I am sure, Mr. Moderator, that if any Unitarians are present they will not regard my zeal for the points of difference which separate me from them, as an indication of unkind feeling toward that denomination. If they are honest men, they will say, You and I differ decidedly—because, between the position of Christ as a creature and Christ as a God, the difference is infinite. Believing that Christ is God, I cannot consent to have Him put upon a lower platform, and to be regarded as a creature, without entering my protest. I believe that the Atonement derives its efficacy from the fact that He is infinite, and that His sufferings were sufficient for the world. If then you take away from me the deity of Christ, I shall say you have taken away my Lord, and I know not where you have laid Him.

I appreciate the character of the Unitarians. I appreciate their scholarship, and I am as willing as any one to admit and to recognize the services which they have rendered the cause of Truth in certain departments of theological investigation. I am not unmindful of the labors of Lardner in the old country, or of Norton in this. But we believe that Jesus Christ is God. We believe that, being God, He became man. We derive our hope of heaven from the union of these two facts. From the fact that He was man we believe that He could be in sympathy with us, take our low place, satisfy the demands of that law, and provide the way whereby God could be just and justify the ungodly. We believe that, being God, His sacrifice was of infinite value, and that God, looking upon it, could regard it as standing in the place of His people.

To deny the deity of Christ is to deny the vicarious character of Christ's death; is to affirm that we are saved on some other ground than the propitiation of His cross, in His offering Himself to satisfy divine justice. Part company with the deity of Christ, and you preach another gospel altogether. The Unitarians know that, and they are honest in their position as I am honest in mine.

Now then, if we are agreed on these premises let us go on to criticise the conduct of Professor Swing.

I am going to use an illustration, and I hope I shall not be represented to-morrow morning as having compared the Unitarians with Atheists, because I am not going to do it. But suppose an Atheistic society were to

organize, and were to propose the erection of a hall; and suppose that they were to dedicate that hall to a deceased friend of mine—a noble christian—and that they should come to me and say this: "We are going to build this hall, and we are going to dedicate it to your friend and our friend, and we want you to deliver a lecture. We are short of funds, and you are popular" (of course they would not say that to me.) "and we want you to deliver a lecture now and help us out." Mr. Moderator, I would like to have your ruling on this question. If I were to plead the fact that this atheistic hall was to be erected in memory of a deceased friend for whom I had the highest regard, and whose christian character was beyond reproach, would that be an excuse for lending my name and influence to a society of atheists? I will not wait for your decision. I know what it will be.

If it was wrong for Prof. Swing to give his name and influence to Unitarianism, it was not the less wrong because the society in whose behalf he lectured were about to erect a chapel in memory of a woman whom he admired, and whose christian character has never been in dispute. So that the question reverts to the naked issue, whether it is right for a Presbyterian minister, with the vows of a Presbyterian minister upon him, and having promised to be faithful and zealous in maintaining the truths of the gospel, to give his public influence, to have his name associated from day to day in the public press, with an enterprise which has for its sole object the erection of a chapel in which the only gospel preached, would be a gospel deriding the deity of our Lord Jesus Christ, and calling in question His co-eternity with the Father. Is it right? That is the question. I will take the responsibility of anticipating the vote of this body. There is my brother Glen Wood, who represents the American Tract Society, and it is a very good society, and I am going to ask him whether he would consider himself as in the discharge of the duties of his office, if he were to put a Unitarian Tract, or a bundle of Unitarian Tracts, into a colporteur's hands? Would he be willing to allow an agent of the American Tract Society to go into the households of this land carrying with him tracts which certify that Jesus Christ is not God, which teach that the doctrine of the Trinity as laid down in our standards is not true, which affirm that we are saved in some other way than that of propitiation through the blood of Christ? He would not do it. Now, I wish to know of the members of this court whether they consider that a minister of this Presbytery and the Presbyterian church is acting in accordance with his ordination vows when he gives his moral support to a society who have no other reason for their separate existence, as an organization, than the fact that they deny the Trinity and the deity of our blessed Lord. You must meet that question, brethren, with a categorical answer, because upon your reply to it your vote will depend.

Now Prof. Swing can meet that. He will answer that question, but he will not answer it as you will, and he will vindicate himself with a boldness which you will not follow. You may acquit him of the charge. You may say this is not wrong; but you will do so in defiance of conscience, and you will not take the position which he affirmed in his plea, to wit: that "the Unitarians have a version of the gospel which is not so good as ours." That is his position. His position is that the Unitarians preach the gospel, and, preaching the gospel, he can very consistently maintain the position that it is right for him to exchange courtesies of this kind. But we, planting ourselves upon the position that the gospel is identified with the royalty of Jesus Christ and the Trinity, cannot take that position. It is a very different thing. Now, sir, I should like to see how Prof. Swing would go about the conversion of a Unitarian after what he has said here. There is not a minister in this house, not an elder in this house, who, if he knew that some dear friend did not believe in the deity of Jesus, and in the doctrine of the Trinity, would not feel that his soul was imperilled. Mr. Moderator, if you knew that a member of your church had any doubt about the deity of Christ, I venture to affirm that you would consider that he was in serious peril. Gentlemen of the Presbytery, if you knew any member of your congregations had denied the deity of Christ you would not admit him to your communion table. It is very questionable if you would. If you knew it you would tell him that, in your view, a man could not be saved who denied this great verity of our sacred religion. But that is not Prof. Swing's position at all. Prof. Swing says "I do not believe this. I do not regard the deity of

Christ essential to salvation." He plants himself upon the broad platform of Christian charity, and, while he admits that we have "a better version of the gospel" than the Unitarians, he affirms, in that admission, that they have a gospel. I take issue with him, with all respect to the Unitarians, upon that point. Now, Mr. Moderator, how could Prof. Swing go to his Unitarian friend and say "my dear friend, your soul is in peril; you must believe in the deity of Christ." He could not do it. If we hold the views we are supposed to hold, we cannot acquit Prof. Swing of the charge of unfaithfulness after what he has said on the floor of this house, and after his public act of fellowship with Unitarians, and after having given them his moral support. I make that issue fairly and squarely, and I ask this house to meet it.

Now I pass to the passage referred to in the *Lakeside Monthly*. Professor Swing has been comparing Chicago with other cities, and that in a religious point of view. He notes the points of difference which distinguish it from St. Louis, Pittsburg and others, and says:

It appears that, not only in Arabian dream but that in reality, there is a genius of each place holding an invisible wand that touches every heart. A Quaker influence presides over Philadelphia; a Calvinistic Hercules holds Pittsburgh in great subjection; St. Louis is penetrated by a devotion to the Mosaic age, because of its tender regard for slavery displayed by the old law-giver; and thus onward, until each city may be seen to lie under a powerful enchantment peculiar to itself. Chicago is an attempt at evangelism. All the details of the creeds between Jerusalem and Geneva seem forgotten. It has been driven to what is called a practical gospel—driven by its multitudes, that need virtue more than theology, and driven by the failure of didactic theology elsewhere. It enjoys the advantage of past public experience. The Episcopal churches here are full of Calvinists whose heads never received the Bishop's blessing in regular line; and the common meeting-houses are full of those who were once confirmed in the holy Apostolic Church. The Roman Catholic children crowd our free schools here; and the bishop himself cannot see that they absorb Bible enough to work any moral injury to the little souls. All the way from Robert Collyer to Robert Patterson the preaching is practical, free from sectarianism, full of persuasion through love. What sect is honored by the membership of Farwell or Moody, few know, because all names are forgotten in the more general title of Christian. The city being the halting-place of a great army of business men, and not of pilgrims seeking a blinking Madonna, the local gospel was compelled to become a mode of virtue, rather than a jumble of doctrines.

I do not think that Dr. Patterson considers it any great compliment to be put into the same catagory with Robert Collyer, and be regarded with him as preaching the same gospel, because I know that Dr. Patterson's theology is the antipodes of Robert Collyer's, and so do you. If this means anything—and we are not going to be driven to any fine points of interpretation as to what it *may* mean, and as to what possible construction may be put upon it—I ask you as intelligent men and ministers, what impression this would produce upon your minds, because it is a principle that a man is conclusively presumed to intend the natural and probable consequences of his acts,—what would be the natural and probable consequences of this article? What would be the effect upon the mind of any unbiased reader? If you had never heard of Prof. Swing would you think he was a Presbyterian? Does this passage mean anything else, or could it produce any other impression, than that Dr. Patterson and Mr. Collyer, though standing apart, were inside the circle which we call the Gospel? With all respect to Robert Collyer, and with all respect to the denomination which he represents, if *my* gospel is *the* gospel, then, sir, there is no other. If I read the Bible rightly, sir, there is only one Gospel, and I do not know anything about a "local gospel." The idea which Prof. Swing teaches in this passage is that Robert Collyer's gospel and my gospel are the same, and I resent it as an insult. It is not so. "The local gospel was compelled to become a mode of virtue, rather than a jumble of doctrines." What is the fair implication? Why, sir, he is comparing Chicago with other cities; he says that the gospel of Chicago is a little different from the gospel of other cities,—that the peculiar feature of it is that it is "a mode of virtue." Is that your understanding of the Gospel? Is the Gospel "a mode of virtue?" Does Christianity differ from the teachings of Socrates and Marcus Aurelius only in the fact that it teaches a better virtue? Is that the thing which differentiates the Christian system? Not as I take it. I take it that the distinguishing feature of the Christian system is the expiatory death of Jesus Christ and not "a mode of virtue." But Prof. Swing's Gospel is "a mode of virtue," and it differs from

the gospel of Philadelphia, and of St. Louis, and of Pittsburgh, in the fact that it *is* "a mode of virtue and not a jumble of doctrines." What is the fair implication? Why, that the gospel of Pittsburgh and St. Louis is "a jumble of doctrines," that that city which is held in the grasp of a "Calvinistic Hercules" has a gospel which amounts to "a jumble of doctrines." Is that a kind thing to say of a city which has so much Presbyterianism in it? Is a man acting in strict loyalty to the church under whose banner he professes to live when he makes this rash and false statement with reference to the Pittsburgh religion?

I now pass to the sermon written in eulogy of John Stuart Mill, and printed in the Chicago *Tribune* of May 19, 1873. Some of you know something about John Stuart Mill, and what I shall say will not be by way of information, but simply to furnish the basis on which this argument is to proceed. We know that John Stuart Mill grew up without any religious convictions whatever. We know that particular pains were taken in his education that he should have no religious impressions, and when he grew up he espoused a philosophy that was fatal to all religion; and yet, when he dies, Prof. Swing goes into his pulpit, and on Sunday morning preaches a sermon in reference to him, taking as a text I. Corinthians, 15 and 41. "One star differeth from another star in glory." I will quote a passage:

After Solomon had exhausted his maxims, Christ came, saying, Blessed are the pure in heart, the merciful, the peacemakers. And then Paul comes with many a chapter of summing up of human virtues attainable in this life. The reader of the Bible will see that character is the object of all these earthly years, the thing to be sought by all alike from King to subject, from philosopher to child. Such being the life-work of man, he may well gaze upon any beauty and impressiveness of character, come whence it may, in politics or philosophy, or in the humblest walks of earth. Even if Stuart Mill stood nominally outside of the Christian religion, yet there is a sense in which he stood, not by choice, but by necessity, within the boundaries of the New Testament. It is within the power of an individual to reject the special doctrines of a religion; but if that religion has moulded his country for centuries in all its morals and aspirations, then each individual born into that atmosphere is colored with its hues, however much he may repudiate its cardinal dogmas in after life. It is possible for a free will to expatriate one's self from one's country, but go where he may, he will always be the Englishman or American of his formative years. Lady Hester Stanhope tried to escape her country, weary as she was of its political griefs, but in the mountains of Lebanon, in Arab dress, and with only Arabs around her, she was still only an Englishwoman. In Christian lands Christianity, besides being a set of dogmas, is also an atmosphere, and hence those who at last feel called upon to deny the propositions most difficult of belief continue still the children of the place, and if they do not carry the public baptism upon their foreheads, they bear the Christian character in their heart. Hence, to find a beautiful character outside the Christian Church may yet be to find a good illustration of Christian ideal and Christian destiny, for the ideal becomes a public inheritance, and flows beyond the walls of the church, as the light of the cottager's lamp pours out of the window, far away from the loved family group. Of this eminent man a prominent passion was his love of truth. To know the facts in the common affairs of life was so deep a wish in his soul that it became a passion so strong that all other passions died around it as the shrubs of the forest die when the oak begins to overshadow them. In his writings we perceive a heart without enmity, without partizanship, moving along in the vast sea of truth, occupied wholly in search of a shore habitable by the pilgrim humanity. One of our own leading statesmen, having been asked why he never became angry, replied that he could not afford it. Life was too short to be consumed in part by such a passion.

Mr. Mill's style is the picture of a sincere intellect from which all malice had been eliminated, all language of abuse, and into which had been gathered the breadth of a Plato, the learning of a Milton, and the humanity of a Wilberforce. In the careers of such gifted men as Theodore Parker and Charles Sumner, there is so much partizanship and individual pride that the pursuit of truth with them seems too much like a contest for office or fame. The heart that reads these writings has at last such feelings as must have filled the bosoms of the Romans seated at their gladiatorial shows, but reading Stuart Mill you feel that the light around you is not that of lightning, but of a morning sun shining not as any terror, but in benevolence.

If, therefore, the Bible speaks of truthfulness; if Solomon declared the glory of just balances; if the gospels speak of our being without guile; if another sacred writer said, "He that would see good days let him refrain his tongue from evil and his lips that they speak no guile," we may call to memory this English name and know what all this Scripture signified.

Mark this sentence and remember John Stuart Mill was an atheist, and by that I do not mean that he had succeeded in proving that there is no God, but I mean that he did

not believe in a personal God. When I use the word atheist it is with that definition; and using the word in this sense John Stuart Mill, so far as we have any knowledge of his belief, was an atheist.

Even if John Stuart Mill stood *nominally* outside of the Christian religion, yet there is a sense in which he stood, not by choice but by necessity, within the boundaries of the New Testament.

But there is no perfection upon these shores. And now we come to the shadow that falls across this grave by day and night. That Mr. Mill did not accept the orthodox creed, is not what a liberal world need regret the most, but that he revealed little of the religious sentiment and hope is what we must confess to be a shadow upon his memory.

I do not know what else they need regret. If salvation through the blood of Christ is not the great want—the great fact, and the recognition of it the great need—then I do not understand the Gospel as Professor Swing does. And yet he says, "The fact that he (Mill) did not accept the orthodox creed is not what a liberal world need regret the most." What need they regret? "That he revealed little of the religious sentiment is what we must confess to be a shadow upon his memory." That is the hardest thing Professor Swing could find it in his heart to say of an atheist. He also says:

Victor Cousin of France, was the rival of Stuart Mill in wisdom, in genius, in intellect; and so Guizot. These three were similar and strikingly great. But the two latter possessed the power of sentiment. That golden atmosphere of love and hope that hangs around religion enveloped Victor Cousin in its life-giving folds. Setting out from the same points of thought, Cousin always came up to God and Heaven, and Mr. Mill to the practical of this life; to the happiness of man here, and then paused. Oh, what a deep mystery of human life is here:

> From the same father's side,
> From the same mother's knee,
> One journeys to a gloomy tide,—
> One to a peaceful sea.

And Cousin and Guizot teach us that there is no mental greatness too large for religion. That religion depends upon the world's credulity; but they teach us, even beside the grave of the lamented Mill, that religious sentiment is a divine part of human character, and ought to make its sunlight play in every bosom; and that the more gifted the genius the sweeter and more divine may be its colors in the soul's horizon.

It is not difficult to get the doctrine of that sermon. Mr. Mill neglected to cultivate the religious sentiments. This neglect has caused a shadow to rest on his memory. This shadow would have been all removed if he had only cultivated the religious sentiment. If he had only cultivated it to the extent of Victor Cousin, for this shadow, we infer, does not rest upon the memory of Victor Cousin. Well, now, what did Victor Cousin know about the Gospel? He knew about as much about it, or rather believed about as much respecting it, as Confucius did. Victor Cousin a Christian, a believer in the deity of Jesus Christ, the Trinity, in salvation through the blood of Jesus Christ, a believer in the personality of God! Why, Mr. Moderator, that is new information on a subject about which I thought I knew a little. If he (Mill) only had such a religion as the pantheist Victor Cousin, why then all this blur upon his memory would have been removed! And that is the hardest thing he (Swing) dares say about a man whose whole object in life was the pulling down of truth and the undermining of the faith of God's people in respect to the verities which lie at the foundation of all religion!

I give Prof. Swing credit for being a man of information, and in all this discussion I take it that I have done his intellect far more credit than some who are disposed to stand by him as his friends. I have heard it said repeatedly in extenuation of his equivocal statements and of his faulty utterances that he is not a "theologian." I have heard it said that he is a poet. I have heard it said that he is not capable of making clear statements. Sir, I deny it. I give Prof. Swing credit for great intellectual ability. I give him credit for being a man of culture. I give him credit for knowing theology so well that he can steer between Unitarianism and Presbyterianism, so that you cannot tell on which side of the line he belongs. I give him credit for being a devoted student. I give him credit for being a philosopher, for he has delivered a lecture on the subject, and a very good lecture it is said to be. But for a man to deliver a lecture on "Philosophy," and to make such a statement about John Stuart Mill, and to preach such a sermon after his death, is a crime which this court cannot overlook. He knows as well as I do that John Stuart Mill founded the *Westminster Review*; and he knows as well as I do that the *Westminster Review* means Atheism. He knows as well as I do that John Stuart Mill was a prominent contributor to the *Fortnightly Review;* that Morley and Mill

were both leading disciples of Atheism. He knows that the issues raised in their philosophy were issues which carry with them the foundation of all religion. He knows as well as I do that John Stuart Mill stood in the front as the representative of that type of philosophic thought which denies the fundamental differences which exist in respect to mind and matter, and right and wrong,—verities which are presumed and taken for granted when we enter into any religious discussion. He knows as well as I do that John Stuart Mill attacked Sir William Hamilton's philosophy because it was the bulwark of intuitionalism, and, until intuitionalism could be destroyed, sensational and materialistic philosophy could make no headway. He also, with an energy worthy of a better cause, or a true missionary enterprise, went to work to destroy the principles which lie at the foundation of Christianity and of all religion. And I say that there never was a greater insult offered to Jesus Christ, there never was a greater insult offered the Presbyterian Church, never did a man miss a great opportunity for defending the truth as is in Jesus, and never did he fail to discharge the duties intrusted to him more than when David Swing rose in his pulpit and preached a sermon, the effect of which upon the minds of those who listened to him could be no other than to produce the impression that it was not such a bad thing to be John Stuart Mill after all.

I pass now to the consideration of the fourth specification named in the charge. It is that Prof. Swing has spoken in derogation of the Standards of the Presbyterian church and of the doctrines taught therein. A man enters a church of his own free will. He is not asked to come in. He is not asked to stay in. He comes in on the ground that he believes sincerely the doctrines of that church, and it is common honesty for a man when he is no longer in sympathy with his church to leave it like a man. Prof. Swing owes his position in great part to the fact that he has an honored name in the Presbyterian church. He preaches to a congregation which worships in a church that has received expressions of affection from the Presbyterian church throughout this land. He is in the pay of a congregation who suppose that he is in thorough sympathy with the doctrines of the Presbyterian church. But now, sir, being in that position, honored as he is, trusted by his brethren, is it right for him to use the opportunities which he has of public preaching for deriding the Standards and for ridiculing the faith which he has promised sincerely to believe, and the truths which he has promised sincerely to preach? I need not argue upon that question. If it is true that David Swing has ridiculed, and derided, and sneered at, the doctrines which are found in that Confession, is this Presbytery going to pass that over as a light offense? Are you going to put these charges out of court as frivolous? Are you going to pass a resolution allowing the prosecutor to withdraw the charges? No, you will not. If you do I will impeach Prof. Swing before the Synod, and I will impeach the Presbytery for its infidelity. Now, I will prove that he has done it. The passage contained in the allegation reads as follows:

> Over the idea that two and two make four no blood has been shed; but over the insinuation that three may be one, and one three, there has ever been a demand for external influence to brace up for the work the frail logical faculty.

What does that mean? Does it not mean this: That he is using the very objection of the Unitarians that three are one and one is three, and that he is taking the opportunity afforded him as a minister of Jesus Christ to ridicule the doctrine of the Trinity, and say that we need some extra force to "brace up the frail logical faculty." Would a man, who sincerely believed three are one and one is three, say that?

> It is probable that no man has been put to death for heresy regarding the Sermon on the Mount. Its declarations demand no tortures to aid human faith. But when a church comes along with the legitimacy and its five points, or with the prayer-book or its infant baptism [we believe in infant baptism or are supposed to] or eternal procession of the Holy Ghost, then come the demand for the rack and the stake, to make up in terrorism what is wanting in evidence.

Now, sir, would a man who honestly believed in the five points of Calvinism, or in infant baptism, or in the eternal procession of the Holy Ghost, ridicule these doctrines as he does in this language before a great congregation? Would you, brother Kittredge, go into your pulpit and use that language and expect your people to go away and think you thought anything of "infant baptism." I would like to see Mr. Swing go and ask one of the ladies in his congregation why she did not have her babe baptised.

"Madam, you have not brought you child for baptism; why have you not done it?" "Why, Mr. Swing, I do not believe in infant baptism." Of course, nor would I blame her to this extent that I think it perfectly natural for her to draw the conclusion, from that statement, that infant baptism was nonsense.

Are you going to allow a man to stand in your pulpit and deride the sacraments of the Lord Jesus Christ? Page 23. Truths for To-Day.

Look back over the history of Jewish or Catholic or Waldensian or Protestant sects, and when you seek for their ideas of value you come at last to their charity and purity and faith in God and the Saviour—their pursuit of knowledge and hope of heaven. You think of nothing else. You shovel away the dust and debris of centuries, that by chance you may come upon these jewels in the diadem of religion. And if you find these, you bless the old church that lived and died on the spot. But all else is beneath your notice. Rubric, surplice, prayer-book, two souls of Christ, the Eastern time, the transfiguration light, the *election*, the *predestination*, the laying on of hands, all count no more with the thoughtful historian seeking for the merits of an age, than counted the costumes of those eras or the carriages they drove. We place them below price.

"Two souls of Christ!" What does he mean by that? that he does not believe in the human nature of Christ? that Christ had a human and a divine will? "Predestination!" Does he believe in that? He does not tell us whether he does or not. Take "predestination" out of the Confession of Faith and what is left? Take "predestination" away from the Presbyterian Church, and what is there to cause the Presbyterian Church to have a separate existence? Do not the Methodists believe in the Trinity? Do they not believe in the orthodox doctrine of the person of Christ? Do not the Baptists believe in all these doctrines, except "Infant Baptism?" Take away or cease to love the doctrines which serve to differentiate our church from other churches, and what is left? These doctrines, Predestination, Election, etc., are of "no more importance" to you than it is to know what sort of carriage Julius Cæsar rode in.

Let me read you a passage from the *Chicago Pulpit*, showing how he ridicules the doctrines:

Elizabeth imprisoned for life all who conducted religious service without using her prayer-book. Persons not believing in bishops were branded with an iron. Anabaptists and Arians were tortured and then hung. As internal piety was little dreamed of as being a religious test, it was as absurd from man as from God. God was a Being partial to a prayer-book or to a bishop. Forms were everything. Knox declared that one mass was more fearful to him than ten thousand armed enemies landed in any part of the realm, never harboring for an instant the idea that beneath the service of the mass there might be a pious heart. There was no weighing of soul. It was all a listening to words, and a crowding to the fagot those whose words deviated a hair's breadth from the model held in the hand of some bloated ruler or licentious priest. In this awful reign of iron sentences, little girls of childhood innocence, and mothers whose love is an emblem to earth of love infinite, went down to early tombs in the double agony of flesh and heart. But the heart of a dove counted nothing in an age of vowels and consonants. Catholic words killed thousands of Protestants, and Protestant words killed thousands of Catholics. All imaginable doctrines have in the long, bloody period been made a ground of life or death. Words about baptism, words about the Trinity, words about the Pope, words about transubstantiation, words about the Virgin Mary, words about the Eucharist, words about the doctrine of purgatory, about astronomy, have exposed the body to the stake and the soul to perdition.

In his sermon on the "Influence of Democracy on Christian Doctrine," he says:

This perpetual industry amid external pursuits also diverts the mind from the study of mysteries and to the acceptance and enjoyment of facts, and hence the public mind turns away from predestination and reprobation and absolutism. Not simply because it has developed a consciousness of freedom, but also, because in the long association with facts, it has lost love for the study of the incomprehensible in both religion and philosophy. In this casting off of old garments it no more cheerfully throws away the inconceivable of Christianity than the inconceivable of Spinoza. In this abandonment there is no charge of falsehood cast upon the old mysteries; they may or they may not be true; there is only a passing them by as not being in the line of the current wish or taste, raiment for a past age, perhaps for a future, but not acceptible in the present.

We believe that the verities are written in God's book by men who spoke as they were moved by the Holy Ghost; and we have no authority in the book of God for casting off any of the doctrines as the "raiment of a past age."

In his sermon, "Salvation and Morality," he says:

In this Credit Mobilier phenomenon I see no tendency on the part of public men to base their souls salvation on good works. That list of names that is, at the same time,

associated with the church and with the acceptance of bribes does not seem in the least inspired by any reliance upon good works for salvation. Their hope of heaven is based upon faith alone. The righteousness they dream of must be wholly an imputed righteousness.

In "St. Paul and the Golden Age:"

Look at St. Paul's third idea. A new life, a new creature! It will be the development of this idea that will announce the dawn of a perfect civilization and a golden age. The church has tried the religion of dogmas. The Scotch Church reached a creed of 4,000 articles, but that church, and all branches of all churches, have furnished thousands of men for every branch of dishonesty and crime.

In "Soul Culture:"

It is not the trinity that moulds human life, but the doctrine of God. It is not the eternal procession of the Holy Spirit that may shape the human soul, but the fact of an ever-present spirit. That Christ was eternally begot of the Father is a doctrine that cannot be appreciated in any way by man's heart, but the Christ of the New Testament can be grasped and loved, and hence the responsibility and success and beauty of human life will all be related to the latter of these statements, and be wholly discharged from all the former without penalty or cost.

Let me read, also, the following passage from the sermon entitled "Christianity a Life," printed in the *Alliance* March 28, 1874:

It is a most singular fact that in this great temperance reform there is one special multitude of intemperate men, and a large multitude it is, too, which sustains full membership in an orthodox church, in a church that surpasses all others in asserting the divinity of Christ and the expiatiory atonement. No church can equal it in delineating the pains of hell and the joys of heaven, and yet with all these cardinal doctrines flaunted upon its silk banners, and intoned by all its priests, this most profoundly orthodox church sends forth from its bosom, especially from its Emerald Isle, a swarm of human beings almost wholly ruined by poverty, ignorance and vice. They land upon our shores by the thousands every week, and against their coming we do not object, for all Christian hearts ought to welcome them from a land of famine and bondage to one of plenty and liberty; but coming, they prove that an orthodox creed no more indicates actual Christianity than poor Kossuth's constitution was equivalent to an enlightened state. The sorrows of Ireland all come from the fact that no Christianity has ever been given them, except that of a complex series of articles; the spirit of life which was in Christ has not been busy these hundreds of years, freeing them from the law of sin and death, but instead of this spirit of Christ's life being preached and acted before them, a hundred articles have been repeated over their darkened minds and enslaved hearts, with the accompaniment, "Believe and go to heaven, or disbelieve and be lost."

The danger of being misunderstood when one thus speaks about creeds, or of being misinterpreted by those who do not wish to understand, is fully appreciated; but the fact in the case is so true and so alarming, that the danger of my being misunderstood is nothing compared with the danger of public morals, if Christ should not be more fully presented as a life. He must lift upward the whole mental nature until all intemperance, all dishonesty, all uncharitableness, shall be loathed as a deep dishonor. Christ must be an education, a refinement, a purity of heart; not a history attested by four evangelists and confirmed by Josephus and Tacitus, and hence believed, but a spirit entering the heart and sweeping away the law of sin and death. An intemperate Christian, or a dishonest Christian, must be confessed to be the real infidel, for whatever his lips may say, his soul is against Christ. There are islands in the Pacific which it is said had no vices until Christians went there; and that awful scourge under which our nation groans, and by which our city is deeply injured, is said to be the peculiar invention and favorite of Christian lands. It will remain so until the whole church moves from an external history of religion to an internal spiritual state, and makes the spirit of Christ the true test of discipleship, and the sole object of all preaching and of all houses of worship. In this chapter from which our text is taken, it is affirmed that "if a man have not of the spirit of Christ he is none of His," but the Church has never believed it, but has offered heaven to misers and drunkards, when once a year they have shown some zeal for an external creed. The difficulty in Christianizing India lies in the pitiable characters revealed there by the British officers and subjects, all of whom have sworn to the thirty-nine articles. The German pietist Tauler was right when he said Christianity is an experience within, and one thought of God is beyond the worth of the external world.

The world has tried external doctrine to the most extreme limit. It has taken the ideas of the Testament, and has stated them in a thousand ways, and has called them everything from Arianism to Calvinism; from Lutherism to Wesleyism; from Romanism to Protestantism; from Mysticism to Quakerism, until the creeds of the Church would form a large volume; and yet not a soul from the atmosphere of any of these creeds has ever been anything except so far as he cast himself simply upon the spirit of Christ's life, and suffered that vast spirituality to separate him from his body of death, to crush the law, that when he would do good evil was present with him; and whenever any soul has done this, he has risen up in the same spiritual beauty, whether he was a Catholic like Fenelon, or a Methodist like Wesley, or a Calvinist like Chalmers; risen

the same, because there is no rising at all for a Christian except right up out of the spirit of Christ. Christianity is in man a "well of water springing up," and hence no one can distinguish between the Catholic Massillon, and the Protestant Robert Hall, because they came not from an external, changing creed, but from the life of the Lord. Let our sun sink where it may, the same gold gathers about the West in Oregon that hangs out its banners in England or on the mountains of Asia, because the atmosphere is the same and the sun is the same, and the clouds are the same everywhere; and thus true Christians are all one, because they come not from manifold doctrines, but they are the same soul colored by the same Christ, whether he is seen in old Judea or new America.

It would seem as if it were not necessary to find any statutory enactment to prove that a depraving of the symbols of our Church is an offense to be visited by censure at the hands of those who have the right to inflict it. And yet, lest some skepticism should exist in the minds of the brethren upon the subject, I take leave to quote from a book which will not be recognized as an authority by the court, but which I will refer to as part of my argument, and will supplement by a reference to our own Digest. The volume is "A Collection of Ecclesiastical Judgments of the English Privy Council;" and I simply refer to this case as parallel to the one in hand, in order that the court may see how another Christian body deals with offenses similar to the one about which I am speaking. In the case of Head vs. Sanders, in the year 1842,—the matter was in respect to the depraving of the Prayer Book,—the party accused had used the following and similar language: I will read—

As reformation in this respect is useless, and as I also am pledged by my ordination vows, as a minister of the Church of England, to banish and drive out all erroneous doctrines, I do hereby decline and refuse to give any countenance whatever to the office of confirmation, as it is now used by their lordships the bishops, and instead of recommending, in compliance with the Episcopal circular, the perusal and re-perusal of that service to the young persons of this parish, I warn them all, young and old, and middle-aged, to beware in the name of God, of the erroneous and strange doctrines which it contains. It will be said that on this I desire to be turned out of the church. Are all clergymen to be turned out of the ministry who dissent from certain points in the prayer-book? * * * It is also a fact that the prayer-book sins against itself; some parts of it are at variance with other parts; the fourth, sixth, eighth and thirty-sixth canons are repugnant to the first and third ordination vows.

The case has been remitted to the Arches' Court, and decided. I will quote a few passages from Sir H. G. Fust's judgment:

"It is no part of the province of this court to determine whether the Book of Common Prayer does contain erroneous doctrines; it is sufficient for the court that it is the book which is used by the clergy as prescribed by the law of the land. The question is, Are the words used in Mr. Head's letter derogatory and in depravation of that book. * * * * I feel no doubt that Mr. Head is clearly within the provisions of the statute of Elizabeth, but under the present ecclesiastical law Mr. Head is punishable for publishing this letter, of which he openly avows himself the author. * * I therefore think that Mr. Head has incurred the extreme sentence of this court, and that the court would be justified in pronouncing against him a sentence of deprivation. If Mr. Head could not have obtained possession of his living without assenting or consenting to the use of all things contained in the Book of Common Prayer, he cannot complain if by the sentence of this court he is placed in precisely the same position, as if he had not, within two months, conformed to the provisions of the statute, and if he had not done so, he would *ipso facto* have been deprived.

Professor Swing cannot complain, according to the reasoning of the Arches court, which is worthy of a great deal of consideration by even this body, if we put him in the position in which he would be if, being a candidate for ordination vows, he was known to have uttered the sentiments with which he is charged. The Presbytery would not license or ordain a man who, in his trial discourses, had proclaimed such views as I have read from his (Swing's) discourses; and having preached them, by all that is right and just, if justice were done him, he should be put in the position he would be in if he were a candidate for ordination, unless the proper retractions are made. I am aware that there may be those who will question the decision, and I beg to read from a book—the new Digest of the Presbyterian church—which every man of us will swear by. It is a principle of our Form of Government that doctrinal truth is of great importance, and that formulated truth is essential to the existence of a religious organization. I will read the section, and I claim that Professor Swing has contravened this principle and having done so, has laid himself liable to censure, and that the knowledge of this fact being before this Presbytery, the Presbytery

will be derelict if it passes it by with an acquittal.

Section iv, chap. i of the Form of Government reads as follows:

That truth is in order to goodness; and the great touchstone of truth, its tendency to promote holiness; according to our Saviour's rule, "by their fruits ye shall know them." And that no opinion can be either more pernicious or more absurd, than that which brings truth and falsehood upon a level, and represents it as of no consequence what a man's opinions are. On the contrary they are persuaded that there is an inseparable connection between faith and practice, truth and duty. Otherwise it would be of no consequence either to discover truth, or to embrace it.

If Professor Swing has not ridiculed vital truth, and put "truth and falsehood on a level" and represented that it "is of no importance what a man's opinions are," then I say it is as impossible for him to contravene the statutes of our church, as laid down in this section, as it is impossible, under the revised law for the punishment of murder, to violate that statute in the city of New York.

We find that that principle is not a dead letter. If it is, it is time for us to galvanize it, for in a deliverance of the General Assembly—I will quote now from the same book (new Digest), page 54, where it is said:

This Confession of Faith, adopted by our church, contains a system of doctrines professedly believed by the people and the pastors under the care of the General Assembly; nor can it be traduced by any in the communion of our church without subjecting the erring parties to that salutary discipline which hath for its object the maintenance of the peace and purity of the church and the government of her great Master.

The application of that sentence would be as much to the people as to the ministers, but, if to the people, *a fortiori* to the ministers who are the accredited ambassadors of Christ and the commissioned teachers of the people.

In 1825 a subsequent deliverance was made in the following form:

The committee appointed on an overture respecting the consistency of admitting to its church ministers who manifest a decided hostility to ecclesiastical creeds, confessions, and formulas, make the following report, which was adopted, viz: 1. That the constitution, as is well known, expressly requires of all candidates for admission a solemn declaration that they sincerely receive and adopt the Confession of Faith of this church as containing the system of doctrine taught in the Holy Scriptures.

2. That the last Assembly, in a report of their committee, have so explicitly and fully declared the sentiments of the church in regard to her ecclesiastical standard, and all within her communion who may traduce them, that no further expression of our views on this subject is deemed necessary.

Prof. Swing, in the passages which I have adduced from his writings, has so traduced, has so ridiculed, has by irony and insinuation so alluded to the vital doctrines, and the distinguishing doctrines of our church that the natural effect of such language upon the minds of those who heard him could only be to breed a skepticism in respect to them or to lead them to treat them with contempt. There can be no question on this subject. Now if Prof. Swing had come into this court and said, "Mr. Moderator and brethren, I admit the charges; I confess I have used indiscreet language; I admit that these sentiments ought not to have fallen from my lips; and now that I have been reminded of it I promise to be careful in the time to come," I imagine the members of the Presbytery would have felt differently on the subject. But how does he act? So far from expressing regret, or having anything to say by way of retraction, he comes into this court, assumes a defiant stand at the desk, and not only does not retract the statements, but goes on to make still more insulting statements in respect to the doctrines of our church.

If the public does not believe that the Presbyterian church holds to "Infant Damnation," it is not because Prof. Swing has not tried to produce that impression. If there is any impression produced upon the public mind, as the result of Prof. Swing's plea, it is that the Presbyterian church, either in her formulated standards, or by her representative men, does teach the doctrine of infant damnation. I say, sir, with some knowledge of the doctrines of the Presbyterian church, and with some knowledge of the men who represent that church, and with some acquaintance with Presbyterian history, that such a statement is not true and that a Presbyterian minister making a statement of that kind on the floor of this body deserves censure for it.

I say not only has he derided our doctrines with respect to the subject of "Predestination," but what did he say on the subject of "Future Punishment?" What did he say on the subject of "Fatalism?" What did he say on the subject of "Salvation by Faith?" Was not the imputation cast upon the Presbyterian Church in that

plea that she believed in salvation on the ground of naked assent? He has imputed Antinomianism to the Presbyterian Church, and the Presbyterian Church will resent such a statement.

We are charged with holding such views regarding future destiny as to pander to infidelity. I wish to know if the Presbytery will allow that to go on record without putting a sign of disapproval on it? And, in view of the utterances quoted from his sermons, of his plea before the Presbytery, whether you are willing to say that he is a faithful minister, and a fair representative of the Gospel as you understand it, and as set forth in the grand old symbols of our Church.

The Presbytery then adjourned with prayer until half-past 9 o'clock Wednesday morning.

WEDNESDAY, MAY 13th, 1874.

The Presbytery met at 9:30 o'clock A. M., and was opened with prayer. Prof. Patton resumed the argument for the prosecution as follows:

ARGUMENT OF THE PROSECUTOR.

(*Continued.*)

Moderator and Brethren.—When the hour of adjournment arrived yesterday I had reached the fifth specification, and was about to enter upon a consideration of it. I take up my remarks this morning at the point where I left off; and I take it that the brethren of this Presbytery will be with me in the opinion that if the allegation set forth in this specification can be proved, it is a very serious charge, and one of such gravity that this Presbytery cannot afford to overlook it. I will read the specification.

Being a minister of the Presbyterian Church, and preaching regularly to the Fourth Presbyterian Church of this city, he has omitted to preach in his sermons the doctrines commonly known as Evangelical—that is to say, in particular, he omits to preach or teach one or more of the doctrines indicated in the following statements of Scripture, namely: That Christ is a "propitiation for our sins;" that we are "justified by faith;" that "there in no other name under heaven given among men whereby we may be saved;" that Jesus is "equal with God," and is "God manifest in the flesh;" that "all Scripture is given by inspiration of God," and that "the wicked shall go away into everlasting punishment."

Nor will there be any question, I take it, but that this is the basis on which all churches who have a right to be called Evangelical will stand. One of the Elders of the Fourth Church read this specification as expressing his views of what evangelical preaching is, and as expressing his idea of what doctrines are embraced in the evangelical system.

Now, sir, it is affirmed in this allegation that Prof. Swing has omitted to preach in his sermons these doctrines. Our church has taken special care to invest the ministry with the gravest sanction. When a candidate comes forward for licensure he answers in the affirmative the question whether he receives the Scriptures of the Old and New Testament as being the word of God and the infallible rule of faith and practice. And he answers likewise in the affirmative the question whether he sincerely receives and adopts the Confession of Faith as containing the system of doctrine taught in the Word of God. And when subsequently he comes forward as a candidate for ordination and is installed over a church as its pastor, these questions are repeated and questions like the following are added:

Do you promise to be zealous and faithful in maintaining the truths of the Gospel, and the purity and peace of the church, whatever persecution or opposition may arise unto you on that account? Do you engage to be faithful and diligent in the exercise of all private and personal duties which become you as a Christian and as a minister of the Gospel, as well as in all relative duties; and the public duties of your office, endeavoring to adorn the profession of the Gospel by your conversation; and walking with exemplary piety before the flock over which God shall make you overseer?

Now, if you were to ask the question of this house as to what they would consider the faithful discharge of the duties of the Christian ministry, and the full observance of ordination vows, I take it they would answer, without a dissenting voice, that chief among these duties is the preaching of the doctrines set forth in these allegations. Why, sir, if Chistianity has one claim upon us at all, it grounds itself in the fact that Jesus Christ saved us by the shedding of His precious blood; that we are not redeemed of corruptible things as of silver and gold, but with the precious blood of a Lamb, without spot or blemish. "Without the shedding of blood there is no remission of sins." Blood is a cardinal feature in the Old Testament, and it occupies a very important place in the New. Therefore, when we find a minister

preaching without much mention of blood; when we do not see the scarlet thread winding its way throughout the whole web of his Gospel ministrations, I am very apt to be suspicious that there is something wrong in respect to his views of the expiatory sacrifice. I affirm that this is true of Professor Swing, that he says nothing about the blood of Christ, and that he does not preach that we are redeemed with the precious blood of the Lamb; and not only so, but it is a cardinal feature of the Gospel system that we are justified and counted righteous by faith. That is the cardinal feature of the reformation, and that is the great feature of the Protestant Christian Church.

I affirm that this doctrine is not found in his preaching, and occupies no place in his sermons. And I shall affirm, when the proper time comes, that he preaches a direct contradiction to this doctrine. And still further: If Christianity has any special claim upon us; if our missionary enterprises are to be engaged in with any zeal, then the doctrine which lies as the reason of those enterprises, and which constitutes the basis of all missionary effort, is that "there is no other name given under heaven among men whereby we can be saved." It was this idea which made Saul of Tarsus Paul the preacher to the gentiles. It was this idea which laid the foundation for Paul's Epistle to the Romans. It is this idea, sir, which constitutes the ground and reason for the existence of the Christian ministry, and the perpetuation of the Christian system.

I affirm that this doctrine is not taught in Prof. Swing's sermons, and I shall affirm moreover that the contrary doctrine is taught, either directly or by necessary implication. And not only so, but if I am to receive these doctrines as of any authority, then there must be some one who shall tell me that I am bound to receive them, and for some better reason than that he supposes them to be true. Now, there are three possible standards of faith. One is that standard of rationalism which makes the human mind its own basis, and which makes the individual judgment the criterion of truth. Another is the Romish doctrine which makes a visible organization the standard of faith, and which says that a certain doctrine is true because a given organization, said to be inspired by God's spirit, and therefore infallible, has said that it is true. Now, sir, the cardinal feature of Protestantism, as opposed to rationalism on the one hand and Romanism upon the other, is, that the Bible is the standard of faith and of practice; that what it says is true; that where it says anything, it is of sufficient authority, and we need not go elsewhere. I affirm that Prof. Swing does not teach this doctrine, to wit: That the Scriptures are given by inspiration of God and that they are the only rule of faith and practice. And moreover, sir, if the idea were once lodged in the human mind with any success, that whatever betide, we were all going to heaven in the end, you would rob this world of one of the motives which influence men in their accepting Christ and in their leading a Christian life. You may say that is a Utilitarian idea. I do not care if you do. If it is a Utilitarian idea then God is Utilitarian. For He has put this motive in His book in black and white, and He says he that believeth not shall be damned. Jesus Christ is as good authority to-day as he was when these words fell from his gentle lips. I affirm that Prof. Swing does not teach this doctrine.

Now, Mr. Moderator, I shall be told in reply that we cannot expect all men to preach alike. We must not undertake to suppress a man's individuality. We must not undertake to run a man in our mould. Certainly not. God forbid. If a man is emotional in his nature, then I like to see his preaching show it—all the better. If a man is dry, he can't help it; he must do the best he can with what he has. If a man is logical in his nature, he can't help that. So, sir, that would be no reply. I claim that a man can so use the gifts God has given him as that he can preach these doctrines. If he has poetry in his nature then let him invest these doctrines with the charms of poetry. If he is dry, let him do the best he can and present a clean cut statement of the doctrines and the same God who created the faculties will bless the use of them. Then I shall be told that Prof. Swing is a poet, and that you cannot expect him to express these truths with the same regard to formulative strictness as we do when persons make theology their business. Well, no, sir, no more than I expect a balloon to run a railroad track. But I claim that if he is a poet,—so was Toplady. If Toplady's genius enabled him to write

> Nothing in my hands I bring;
> Simply to thy cross I cling.

Prof. Swing might use his culture to carry the gospel with more power. If he has the power then all the more shame that he does not use it in the service of his Master.

Then I shall be told that Prof. Swing is not capable of making strict statements; that it is not in his power to speak these truths with distinctness; that it is an idiosyncracy of his to be unable to express himself with clearness. Sir, I deny it. I know better. I have far more respect for his intellect. I know that when he chooses, he can be as transparent as glass, and when he chooses he can be as ambiguous as a Delphic oracle.

Mr. Moderator, I shall be told again that a man cannot be expected to preach a sermon every Sunday on some particular doctrine. Well, if a man should build up such a man of straw, I hope he will get all the gymnastics which are necessary in knocking him down; and the only good it will do him will be the benefit to his health. But I have not affirmed that it is necessary for a man to preach a doctrinal sermon. I do not care what the pattern is which he chooses to weave. All I want is that the ground of that web shall be the Gospel. In that sense I do believe that every Christian sermon should be dyed in the blood of Christ.

Now, Mr. Moderator, I have affirmed that these things are so, and offered in evidence the sermons which have been printed by Professor Swing's authority. I defy any man to find these doctrines in his sermons. If he did find them I should have some doubt about his knowledge of these doctrines. There is not a man on this floor who will say that those doctrines are in these sermons.

Well, they will tell me that these are only specimen sermons, and I think that will be the most plausible reply that they can make. I think, sir, that the theory of the defense and the one that will be most creditable to their ingenuity, will be this: they will say, "Grant that these doctrines are not in those sermons in any explicit form. Do you mean to take those sermons as an indication of Professor Swing's theology. Don't you know he has been preaching seven years in this city? Do you not know that these sermons are a mere fragment? Will you take a fragment of a man's theology, and regard it as representative of what he believes?" To that I have to say that if a man publishes a volume of sermons, it is fair to presume he puts those sermons forward with the idea that they shall do good, for he puts them in the hands of the public, that the men who are not reached by his voice may be reached by the printed page; that those souls who are not led to Jesus under the direct instrumentality of his spoken words, may be led to Him by the preaching of the truth of Scripture as it is published by the press. And when he does not announce them in the only volume which has ever been put out over his name, I think it is a fair presumption that he does not regard the doctrines set forth in this allegation as paramount.

But that is not all. They will say still, "It is for you to prove that he does not preach these doctrines," and I accept the challenge. They will say, "These sermons contain only a portion of Professor Swing's preaching. You have affirmed that during a period of four years, that is to say, during the period of time when he has been pastor of the Fourth Church, he has not preached these doctrines. Now prove it." And then they will tell me that the burden is laid on me of proving a negative. Be it so. I do prove it. It is not incumbent on me, and this is a point which I wish to get clearly before the minds of the judicatory because I know it will help very materially in determining their judgment in the case—it is not incumbent upon me, in order to establish this negative proposition, that I shall have had access to every sermon which Prof. Swing has preached; that I shall have heard every sermon he has preached, or that I shall bring witnesses here who have heard every sermon he has preached, and who will therefore give their testimony as to its character. It is sufficient for me if I raise a fair presumption that he does not preach these doctrines, and that I do raise this fair presumption is shown in the fact that I offered all the printed sermons to which I can get access, and I affirm that in all those printed sermons these doctrines are wanting; that in none of these printed sermons are these doctrines to be found.

Now, sir, it is a principle in evidence that where a negative proposition of this kind lays the burden of proof upon the party affirming it, it is not necessary for the party to make plenary proof of the same. And in order to back this by some authority, I will quote a passage from Greenleaf, first, and also a passage of greater length from

the decision of Judge Caton, of our own Supreme Court. I read from 1 Greenleaf, Part II, Chap. III, § 78.

So in a prosecution for a penalty given by the statute, if the statute in describing the offense, contain negative matter, the count must contain such negative allegations, and it must be supported by *prima facie* proof. Such is the case in prosecutions for penalties given by the statute, for coursing deer in enclosed grounds not having the consent of the owner, or for cutting trees on lands not the party's own. * * * * In these and the like cases it is obvious that plenary proof on the part of the affirmant is not to be expected, and therefore, it is considered sufficient if he offer such evidence, as, in the absence of counter testimony, would afford ground for presuming that the allegation is true.

Also, the 30th Illinois, page 352, the decision of Judge Caton, which runs to the following effect; and it is in reference to a complaint brought by a party against a railroad company for the killing of a mule. The passage which I wish to read, is this:

We have repeatedly held that it is necessary in pleading to negative all these exceptions. Whether it is necessary for the plaintiff to prove these negative averments must depend upon their nature and character. When it is as easy for the plaintiff to prove the negative as it is for the defendant to disprove it, then the burthen of proof must rest upon him. * * * But when the means of proving the negative are not within the power of the plaintiff, but all the proof on the subject is within the control of the defendant, who, if the negative is not true can disprove it at once, then the law presumes the truth of the negative averment from the fact that the defendant withholds or does not produce the proof which is in his hands, if it exists, that the negative is not true. * * * There are cases between these extremes where the party averring the negative is required to give some proof to establish it. Indeed it is not easy to lay down a general rule by which it may be readily determined upon which party the burthen of proof lies, when a negative is averred in pleading. Each case must depend upon its peculiar characteristics and courts must apply practical common sense in determining the question. When the means of proving the fact are equally within the control of each party then the burthen of proof is upon the party averring the negative; but when the opposite party must, from the nature of the case, be in possession of full and plenary proof to disprove the negative averment, and the other party is not in possession of such proof, then it is manifestly just and reasonable that the party thus in possession of the proof should be required to advance it, or upon his failure to do so we must presume it does not exist, which of itself, establishes the negative.

Now let us apply that law to the case in hand. If I were in full possession of all Prof. Swing's sermons that he had ever preached within this period of five years, and I came into this court affirming that, during that period, he had never preached these cardinal doctrines, then, according to that decision, it would be necessary for me to make out a plenary proof of the case; but, seeing that if anybody is in possession of ability to disprove the allegation, Prof. Swing is, because all the sermons he has ever preached since the fire—as has been admitted on the floor of this house in testimony—are still in his possession in manuscript, and seeing I have only a very small portion of them in my possession, then he, having it in his power to disprove this allegation, I am to be considered as having very fairly established the negative, until he produces all the testimony relating to the subject. That is the law. That is common sense, as Judge Caton says, and I hope it will appeal to us in this body, although we do not profess to be governed by judicial decisions in the civil courts. Now, the defense seemed to recognize that, for they came in here with a view of disproving this negation. They did not rest quietly and say "Well, you have made your averment, now prove it." But every witness they put on the stand was put there for the purpose of counteracting this allegation. Every witness they brought here was for the purpose of proving that Prof. Swing preached these doctrines, for this was the only allegation to which the testimony was presented outside of the sermons which I have offered in evidence.

Then the question is whether they have proved that Prof. Swing does preach the evangelical doctrines. This averment must hold as proven unless they have proved the contrary. Have they done it? Let us see. They produced testimony. The elders of the church were called to testify, and they did testify. They testified that in their opinion, Prof. Swing preached the Gospel. They testified that, in their opinion, he preached the doctrine of the Deity of Christ. And the value of their opinion can be determined when I tell you that, in proof of that, they cite one of the very passages which I read yesterday as an instance of Prof. Swing's equivocation. They testified that Prof. Swing preached the doctrine of eternal punishment; and, as an indication of the value of that testimony, let me remind you that they cited a passage which I read yesterday as a

specimen of Prof. Swing's ambiguity. They testified that Prof. Swing preached all the cardinal doctrines of the Bible, and when I asked them where they were preached, and when they were preached, and what he said, the only witness who could say anything about it, was Mr. Waite, who said he preached a sermon on Unitarianism, at a period before the time specified in the allegations, or before he became pastor of the Fourth Church, and I never said anything to the contrary. The only testimony which pointed at the specification was that of Mr. Lee, who read passages from Prof. Swing's printed sermons. And the fact that they show the printed sermons already offered in evidence as disproof of this allegation, would seem to imply that they offered the very best they had; for, sir, if I were on trial upon the charge that I did not preach the Gospel, beyond all doubt I should bring the very best testimony I had to set aside the allegation. This gentleman brought a few sentences from Prof. Swing's published sermons, which have been offered in evidence, and the very sentences quoted in disproof of the allegation, were the sentences I relied on to prove the equivocal character of his preaching.

We do not wish to say anything unkind or disparaging, but we will ask whether this court will allow, that testimony which simply expresses the opinion that Professor Swing is a faithful preacher of the Gospel, when it is offered by men who admit upon the floor of this house, and in testimony, that they regard this prosecution as an attack upon the Fourth Church, and upon the elders of that church, can be regarded as conclusive.

Now, when this testimony was offered, at the very earliest moment, as soon as the foundation had been laid for the question, the house will remember that I asked if the sermons preached since the fire were in existence. First, I asked if they were written sermons, and Mr. Waite said "Yes; why, all Mr. Swing's sermons are written sermons." I then asked, not him only, but every subsequent witness, whether these sermons were in existence. I asked the counsel, and he distinctly affirmed that they were in existence. I challenged the testimony. I asked the court to set aside the testimony. I asked the court, even after the testimony had been given, to strike it out; and I asked it upon the recognized principle in evidence that the best testimony in every case must be given; and now I ask, what is the best testimony in respect to the character of a man's preaching? Would you be willing to take the statements of these witnesses as to the evangelical character of his sermons, if the sermons themselves could be had?

If this allegation is to be set aside, one would think that the sermons, as they came from his pen, would be submitted to this body that the striking passages might be marked, and that the distinctive expositions of the doctrines of the person of Christ, and regeneration by the Spirit, might be set before this court in such a light as to kill the allegation and drive that part of it out of court. Why didn't they do it? Why, sir, I asked this court to set aside that testimony, and I am very sorry that the Presbytery decided as it did. No doubt their opinion, as a rule, is a great deal better than mine. I hope I shall never be led to say anything disrespectful of a body so venerable as this, but, with all the great respect I have for it, and for you, Mr. Moderator, and your great knowledge and good judgment, I do think you were mistaken on that question. I thought at the time I could cite the laws of other churches, but they would not hold in this court; and I thought I could cite the law that is recognized in all nations where jurisprudence exists, but "this court is a law unto itself," and it would not set the testimony aside; and if it had not been for Mr. Forsythe, I might never have known what the Presbyterian Church believes upon this point. And now I am going to tell you.

Why, sir, if I had had this passage, they would have set aside that testimony upon the spot; and I am going to put it in my protest. It is not exactly analogous, but the court will seize upon the idea that the Presbyterian Church, whenever it has questions to deal with involving testimony, has recognized as of great weight, the laws regarding testimony, as laid down in standard books upon this subject.

The case alleged is the complaint in the case of Samuel Lowrie, found on page 560 of the New Digest.

The caption reads: "Parole evidence will not supply the place of the records." I quote:

This assembly are of the opinion that the correct mode of proceeding for the last General Assembly would have been to have suspended a decision on the appeal until the records of the judicatories should have been

present, because the rules in our Form of Government prescribed that, before a judgment is given, all the proceedings of the inferior judicatories in the case should be read, *and it is a sound maxim, generally admitted in courts of justice, that the best evidence which the case admits of should be required*, which in all trials is undoubtedly the record of the judicatory.

I called for the manuscript. The manuscript is in existence. The sermons preached by Prof. Swing since the fire are all in his house. He could bring them into court to-morrow. He could have brought them into court when they were called for. I submit, that if it were true that Prof. Swing has preached the doctrines which I allege he does not preach, and if he were anxious—as I know he is anxious—to disprove these allegations, to set my complaint adrift and turn it out of court, to be acquitted at the hands of this Presbytery, to be recognized by this body as still of good standing, and as still deserving of the confidence of this court and the Presbyterian Church, he would have brought his sermons, and would have flung defiance in the face of his prosecutor, by presenting his written testimony, and saying, "There it is, Mr. Prosecutor, staring you in the face in black and white." And when it is true he has not done it, though repeatedly challenged to do it, it is demonstration that he cannot do it, and that the allegation is true.

I will pass now to the Sixth Specification. He declares that the value of a doctrine is measured by the ability of men to verify it in their experience. In illustrating this statement, he has spoken lightly of important doctrines of the Bible: that is to say that in a sermon entitled "Christianity and Dogma," printed in the volume called "Truths for To-Day," the following and similar language is used: "The doctrines of Christianity are those which may be tried by the human heart." "The doctrine of the Trinity as formally stated, cannot be experienced. Man has not the power to taste the one-ness of three nor the three-ness of one, and see that it is 'good.'" "If you, my friend, are giving your daily thought to the facts of Christianity, and are standing bewildered to-day amid the statements of science and Genesis about earth, or its swarms of life, recall the truth that your soul cannot taste any theory of man's origin—cannot experience the origin of man, whatever that origin may have been.

This statement is not an *obiter dictum* on the part of Professor Swing, by any means. It is the enunciation of a principle which pervades his preaching and which gives color to his theology. Now mark: He does not say that a doctrine is *true* in proportion as you can verify it. If he had said that every man of us would have seen that it was Rationalism. But what does he say? He says that doctrine is *valuable* in proportion as you can verify it by experience. Now, sir, you may fill a garret with theology, and it may be true; but of what use is it to me when you have pronounced that it is worthless? And when Professor Swing undertakes to set up his subjective standard as the test of the value of a doctrine, then sir, he has announced a principle which, carried out to its logical consequence, lands you in scepticism. He says you cannot verify the doctrine of the Trinity in your experience, and therefore "it is not valuable. The value of a doctrine depends upon your ability to verify it." That principle rules out every solitary doctrine of Scripture which is mysterious. You cannot verify the doctrine of the Trinity. You cannot verify the doctrine of Predestination. You cannot verify the doctrine of the person of Christ. You cannot verify the doctrine of the Origin of man. There is nothing in your experience to tell you that God *a priori* would send his Son Jesus Christ to die as a substitute for His people. What doctrine is there that can be verified in that way?

Prof. Swing may be pleased to limit his list of exceptions to the doctrine of the Trinity, and the Origin of man; but the moment he makes that statement he opens a door which he cannot shut for the life of him; because another man may say, "I cannot verify the doctrine of the Atonement." And another man may say, "I cannot verify the doctrine of Eternal Punishment; and I cannot see why it is necessary to establish the deity of Christ." The deity of Christ founded upon sentiment! If you found the deity of Christ upon sentiment, down goes your Christianity, and out like a taper goes the Christian's hope. There never was a statement more decidedly rationalistic than this statement of Prof. Swing; and if it were the only one in the book, it would be enough to indicate the drift of his mind, and to tell you he is not a safe teacher of a Presbyterian flock.

I pass to the next specification. It is the one in reference to Development. This court, I hope, will consider it no impertinence if, for the sake of facility in argument, and for the purpose of throwing more light upon the

specification, I go out of my way a little to state, in substance, what the doctrine of Development is. It is the doctrine in philosophy which, more than all others, challenges the attention of the Christian student and bids defiance to the Christian church, and the historic faith of the Christian disciple. It is the philosophy which at the present day is assuming a position of paramount authority. Applied to the material world, the doctrine is, that all the forms of material existence have developed by a process of evolution from the original ether—whatever that is. Applied to life it tells us that the higher forms of existence have come through successive transmutations out of lower forms of being. Applied to social culture, it tells us that man was first a savage and that religion was an afterthought; that he was as unable at one time to worship God as he was to build a fire; that Christianity is as much the outgrowth of the law of circumstances as is steam the natural result of progress. It is a philosophy that tells us that man was at one time without any language, and that voluble as he is to-day, at one time he could not speak. It tells us that man first worshipped his grandfather, and then he worshipped an animal, and then he worshipped a stick, and then from Fetichism he went to Polytheism, and from Polytheism he went to Pantheism, and from Pantheism he went to Monotheism, and Monotheism found its culminating point in Judaism, and it is Judaism, transformed under the action of natural causes, which gives us the Christianity of to-day. That is positive philosophy; that is the development hypothesis. Now, let me read these passages from Professor Swing, and tell me if you would not infer that he had been sitting at the feet of Buckle, of Leckey, of Tylor and Lubbock, when he preached this sermon. Tell me if your inference would not be that he entertained the idea that man was first a savage; that he did not have any language; that his position to-day is the result of natural causes, and that Christianity of to-day is just an outgrowth of the centuries. Let me read first from Mr. Tylor, who is a representative man on the subject of culture, looked at from the standpoint of evolution. In his last work I find the following sentence, which Professor Swing might have embodied in his sermon without any danger to the doctrine or any detriment to the context:

Looking at each doctrine for itself and by itself, as in the abstract true or untrue, theologians close their eyes to the instances which history is ever holding up before them, that one phase of religious belief is the outcome of another; that in all times religion has included within its limits a system of philosophy expressing its more or less transcendental conceptions in doctrines which form, in any age, their fittest representatives, but which doctrines are liable to modifications in the general course of intellectual change, whether the ancient formulas still hold their authority with altered meaning or are themselves reformed or replaced.

Mr. Tylor knows very well that churches do drift away from their formulated standards.

Now, I will read from Sir John Lubbock, a man better known but of equal authority—if the distinction is any credit to him—page 348, of his book entitled, "The Origin of Civilization and the Primitive Condition of Man." When I read Professor Swing's sermon on the ministry, which was delivered at the installation of Dr. Swazey, mark what he says when he speaks of man *becoming* religious—as if he lived without being religious. Sir John says:

I also refer to the non-existence of religion among certain savage races, and as the duke correctly observes, I argued that this was probably their primitive condition, because it is difficult to believe that a people who had once possessed a religion would ever entirely lose it.

Now, what does he hold on this subject, in brief? Page 349.

The lowest savages have no idea of a deity at all. Men slightly more advanced regard Him as an enemy to be dreaded, but who may be resisted with a fair prospect of success, who may be cheated by the cunning and defied by the strong. * * As tribes advance in civilization their deities advance in dignity, but their power is still limited; one governs the sea, another the land; one reigns over the plains, another among the mountains. * * But few races have arrived at the idea of an omnipotent and beneficent Deity.

Now, it is interesting to know what Sir John Lubbock thinks of Adam, because Professor Swing speaks of Adam, and goes back to the time when he did not have any virtue, and did not have any knowledge. On page 361 he says:

The duke appears to consider that the first men, though deficient in knowledge of the mechanical arts, were morally and intellectually superior, or at least equal to, those of the present day; and it is remarkable that supporting such a view he should regard himself as a champion of orthodoxy. Adam

is represented to us in Genesis not only as naked and subsequently clothed with leaves, but as unable to resist the most trivial temptation, and as entertaining very gross and anthropomorphic conceptions of the Deity. In fact, in all these characteristics—in his mode of life, in his moral conditions, and in his intellectual conceptions—Adam was a typical savage.

That is putting it rather strong. Now I will read the passages in this allegation, and I wish you to understand I do not charge Prof. Swing with holding the doctrine of evolution. I do not charge that this expresses his creed—I hope it does not. What I am affirming is, that any impartial reader, any one who did not give him the benefit of the presumption that he is an orthodox man because he has taken the ordination vows imposed by the Presbyterian church, would suppose that he had been in conversation with Sir John Lubbock, and had been sitting at the feet of this evolutionist Gamaliel.

Now I read "The low idolatry of primitive man"—I did not know what he meant by low idolatry at first, and I asked him through *The Interior*, if he did not entertain the ideas of evolution why he persisted in using the terminology of evolutionists, and he turned round and asked me whether I would prefer him to say "Adam" instead of "primitive man;" and he simply furnished me the conlusion of the syllogism, that primitive man was an idolater, and that primitive man was Adam. Then I read again:

The Mosaic economy was nothing else but a progress—earth had come to Polytheism, to Pantheism, to Feticism. It was the Hebrew philosophy, and its immediate result—Christianity which swept away the iron Jupiter, etc.

Now, to any unprejudiced mind, or to the mind of any one who has any acquaintance with the style of thought of these evolutionist teachers, it would be evident that Prof. Swing teaches that Christianity came up out of Judaism as Judaism came up out of Polytheism, and Monotheism, and Fetichism. He may not mean that, but he had two thousand or more people listening to him and of them many are men of culture, and who read books, and who would put what he said alongside of what they read from Sir John Lubbock, and if they would come to the conclusion that Sir John Lubbock and Prof. Swing were first cousins, theologically speaking, they would not do Prof. Swing any great injustice. Now I read again:

This multitude measures a great revelation of God, above that day when earth possessed but one man or family, and that one without language.

Adam couldn't talk, although he named the animals, and he did not know the common decencies of life, although our Confession of Faith says that "after God had created all other creatures, He created man, male and female, with reasonable and immortal souls, endued with knowledge, righteousness and true holiness, after his own image, having the law of God written in their hearts, and power to fulfill it; and yet, under a possibility of transgressing, being left to the liberty of their own will, which was subject unto change."

These sentences correspond. They are exactly alike. You would read Prof. Swing and then read the Confession of Faith, and you would say he is in exact accord with it. You would say that he and Moses entertained the same opinions upon this question, and you would say that when God made man he made him so that he could not talk, and that he had no knowledge; and that Adam and Eve were in the Garden and didn't know how to communicate with each other.

I declare that a Presbyterian minister, knowing that God made man, male and female, and that "in Adam's fall we sinned all," and that our whole system of theology grounds itself in the fact that Adam sinned against God by eating the fruit of the forbidden tree, has no right to talk of the time when there was only one man who had no virtue and no knowledge.

Now, I want Prof. Swing to tell us what he means; whether he accepts the naked fact stated in the first chapter of Genesis, and the fact that God did make one man and one woman, and that the whole human race has grown out of them, and that the destiny of the race is as much representatively related to them as the Christian world is representatively related to Christ.

I will read another passage. I have heard there is one member in this house who knows what all these passages mean, and I am going to employ him for a week as an interpreter if I don't get light any where else. What does this passage mean in the same specification? "The Bible has not made religion, but religion and righteousness have made the Bible." Well, I thought God made the Bible. "Christianity is not forced upon us." Who ever said it was? "Our nature has forced it up out of the spirit's

rich depths." There is a conundrum. If you can harmonize that with Christianity, I will go through the Vedas and harmonize them with Christianity; or I will take Confucius and make him acknowledge the Gospel of the Lord Jesus Christ. You cannot do it. That may be a *lapsus linguæ* or a *lapsus pennæ*, but it was an unfortunate expression and it ought to be taken back. As it stands it teaches heresy. It teaches that Christianity is the outgrowth of Judaism, as Judaism, according to the evolutionists, is the outgrowth of Monotheism, Polytheism, and Fetichism.

Now, I believe in anything else than development. I do not believe a particle in it. I believe that God made the world, and that he made man by a direct fiat, and also that he made every species; and I believe that man never developed except downwards; and I believe that all the upward development which takes place is when God's Spirit comes into a man's heart, plants the germ of holiness there, fosters it, and makes it grow there in virtue of the means of grace, which in our Catechism are called the Word, Sacraments, and Prayer. It is a development in the direction of holiness and by the direct exercise of God's Holy Spirit; and as for Christianity being the outgrowth of circumstances, or the transformation of Jewish theology, it is no such thing. It is just God Almighty coming down to earth in the form of Jesus Christ, living, dying, and rising again from the dead, and setting in exercise a set of forces of which Christianity is the direct outgrowth. Does Prof. Swing believe that? If he does let him say so.

The Bible says God made man in his own image. Now, if God made man in his own image, I believe that you will agree with me that when man was made in the image of God, he reflected the perfections of God; because the two expressions are synonymous. If Adam was simply a duplicate of God, so far as finite being could be, then for a man to say that God, in the first human being, could no more display his perfections than a musician like Mozart could unfold his genius to an infant or to a South Sea Islander, is to tell Moses, with all due respect, that he did not tell the truth. That is what it is, for Moses said, and the Apostles said after him, that God did make man in his own image. And I believe that. And I believe that Adam was a great deal more like God than I am going to be for some time to come; and as for the nineteenth century displaying the perfection of God more than Adam did, it is an outrage upon common sense. Now, I want an explanation of that sentence.

Prof. Swing.—May I ask a question?

Prof. Patton.—Certainly.

Prof. Swing.—Do you think Adam had any missionary societies or any asylums of any kind to glorify God with?

Prof. Patton.—There wasn't anybody to go to. There weren't any heathen.

I now pass to the seventh specification, and I will read a portion of a sermon entitled "Influence of Democracy on Christianity." In it I find passages, which, if they have any meaning, teach us that there are no standards by which we can measure the eternal verities; by which we can measure moral ideas; that moral ideas are liable to change, and are subject to the laws incident to all human things. If there is any one hope that I cherish, it is that Prof. Swing is better than his preaching. I have said this in print, and I have never said it in unkindness. I have said in the very depths of sincerity—that I do honestly hope his creed is better than his expression of it; but sir, I must deal with the expressions that come from his lips. What he may believe esoterically is one thing; what he teaches exoterically is what we are dealing with. Bear that in mind. Now, suppose a minister of the Presbyterian church stands in his pulpit and in the presence of people who are accustomed to regard the Bible as a settled revelation, as giving us an infallible rule of faith and practice, who are in the habit of regarding the Confession of Faith as embodying the system taught in the Word of God, and who believe that the doctrines taught there are true, what would be the impression produced by such expressions as this?

Now, this is what I mean by the elasticity of the moral idea. These notions are enlarged or contracted according to the genius of the generation that comes to them here or there. All moral ideas, from the conception of God to the most humble duty, all doctrines, from faith, hope and charity, to the notions of heaven and hell, suffer or undergo this sliding form of measurement—and baffle all attempts to render a final and exact expression. They are infinite in the mathematical sense of the term.

I tell you I can set my moral watch by the sun of righteousness, and I know it will go right. I can go and find a measurement of

moral ideas in God's Word and we know there is the standard.

This perpetual industry amid external pursuits, also diverts the mind from the study of mysteries, to the acceptance and enjoyment of facts, and hence the public mind turns away from predestination and reprobation and absolutism, not simply because it has developed a consciousness of freedom but also because in the long association with facts it has lost love for the study of the incomprehensible in both religion and philosophy.

"Freedom"—what does that mean? It means that having developed a consciousness of freedom it is perfectly proper to turn away from these doctrines, for if it had not developed this consciousness of freedom, it would still have believed these doctrines; in other words, that a consciousness of freedom is incompatible with the belief in the doctrines; in other words, that predestination and free agency contradict each other. Do you believe that? I do not; nor does the Presbyterian Church.

In this casting off of old garments, it no more cheerfully throws away the inconceivable of Christianity than the inconceivable of Kant and Spinoza. In this abandonment there is no charge of falsehood cast upon the old mysteries—they may or may not be true—there is only a passing them by as not being in the line of the current wish or taste, raiment for a past age, perhaps for a future, but not acceptible for the present.

You may, my friends, at your leisure, seek and find further instances of this modification of Christian belief. This is a very suggestive sermon. It does not exhaust the whole subject. He has dropped predestination very cheerfully, but not any more cheerfully than he has dropped the pantheism of Spinoza, and now he furnishes an idea that will germinate when you go home; and he says:

When you go home and sit down at your leisure, you will find, perhaps, that there are other instances of this modification of Christian belief by the new surroundings of government.

This is a big city, and we have a Pacific railroad, and it is not to be supposed that Chicago is going to have these old doctrines. It is a new city. "Christian customs will always be modified along with the creed." [He takes it for granted that the creed will be modified; the only question is whether the customs will.] "Not that something absolutely better will always be found;" [you may get out of the frying-pan into the fire, theologically speaking,] "but something more demanded by the accidents of time."

Now, if I were a hearer of that sermon, and were to carry its teachings to their logical consequence, I should say we are not going to believe in the doctrine of eternal punishment. It may be true but it is not convenient. We are going to pass it by, because it is a remnant of another age, and Chicago is not going to believe anything that will disturb our feelings.

In this republic of equality, that places the rich and the poor [you know who Tom. Paine was] the laborer and the clergyman upon one plane the whole language of abuse and denunciation has been banished from the sacred desk, so that Thomas Paine, if he were now alive, would enjoy the undreamed of pleasure.

He has a good word to say for Voltaire in another sermon, and now he says:

In this rise and fall of ideas it is not very wonderful that we perceive no great commotion, and nowhere in orthodox denominations perceive any arraignment of individuals for departures from the faith. This absence of trials for heresy comes, not simply from the fact that there is little heresy in the case, for this has never been an influential fact, but this wide and deep peace comes from two other facts, first, that the age bears all its ministry toward the essential ideas and absorbs them at these points; and, second, that so far as there are any new departures they are universal rather than individual. If they were the new departures of one man there would be trial and discord, but they are the modifications of a whole generation, rather than the light of any individual. Whatever there is of the new in the present it has come to all equally and gently as the dew in the night. The jury is *particeps criminis* in the great case.

Mr. Moderator, this Presbytery will have its own judgment to form in reference to these facts. It will be the province of this Presbytery to say whether Prof. Swing is or is not in accord with the Confession of Faith, and whether if, having departed from the standards of the Presbyterian Church, he still shall have a right to minister at her altar, and be recognized as in good and regular standing. I tell you the time is coming when you will say if you affirm this that you were wrong. The time is coming, sir, when the ministers of this city will find their own influence undermined by the influence of such preaching as this.

You remember the story in classic times of Penelope. How that when waiting for the long-looked for Ulysses, and pressed by suitors all the time, she postponed the act of

acceptance of a favored one, giving as her excuse, that she would accept him when she should have finished a certain web on which she was engaged; and how that she wove in the daytime, and unravelled in the night what she had done in the day.

You, Mr. Moderator, and ministers of the Presbytery of Chicago, are the Penelope of the daytime, and Prof. Swing, in your city, is the Penelope of the night. You are teaching doctrines which he is decrying. You planting yourselves upon these time-honored standards, maintaining them in the face of a godless and scoffing world, and he standing in your presence to tell you that he has drifted away from them, and by his adroitness and his flexibility of language, and skill in arrangement of his thoughts, persuades his people that he is still in sympathy with the great doctrines of our faith.

Mark me: The time is coming when you will say that the prosecution in this case was right, and I will wait for a century, if need be, for my vindication.

I pass to the ninth specification. It is on the subject of a Modal Trinity. I have two objections to offer to that statement. In the first place Prof. Swing has used the opportunity of his pulpit for giving circulation to the greatest of all objections, and the most popular objection against the Church doctrine of the Trinity.

If you ask a Unitarian why he is not a Trinitarian, what will he say? Why, he would say you Presbyterians believe in a contradiction; you believe that one is three, and that three are one, and that is nonsense. Prof. Swing does not say categorically that three cannot be one, or one three, but he does ridicule the idea that three can be one, and one three. He has given his public approval to the doctrine of a Modal Trinity, and a Modal Trinity is not the Trinity which is taught in the standards of the Presbyterian Church, which was formulated at the Council of Nice; which is held by the Roman Catholic Church, and which is held by the Greek Church, and by the great mass of Protestant Christendom. It is not the Trinity of the Bible, and it is not the Trinity of the Gospel.

Now, what is the Trinity? The Trinity is just this: In the first place, we believe in one God. That is the first factor in the doctrine. In the second place, we believe that the Father is God, that the Son is God, and that the Holy Ghost is God. That is the second factor in the doctrine. Now, the great problem of the world on the question of the Trinity is to combine these two factors. And there are just two ways in which they can be combined. One way is truth and the other way is error.

Professor Swing gives his sanction to error, and the Presbyterian church holds to truth. The error is Sabellianism, the truth is Athanasianism. When Athanasius stood before the representatives of Christendom, he was defending the doctrine which we wish to speak for to-day. What is Sabellianism? That the Father is God, that the Son is God, and that the Holy Ghost is God, in such a sense that the same God appears at one time and in one place as Father, and at another time, and under other circumstances as Son, and at still another time, and under other circumstances, as the Holy Ghost; just as a man may be a deacon in the church, in one place, and as a judge on the bench in another, and a general in the army in another. Is that the doctrine of our church? No, and we cannot accept Sabellianism; for, while it is true that there is one God; that the Father, and the Son, and the Holy Ghost is God, the relations between the Father, Son and Holy Ghost are such that the Son can speak to the Father, as different from himself, and the Holy Ghost can proceed from the Father, and from the Son as different from both. Professor Swing teaches that the Father, Son and Holy Ghost are three different offices of the one God, and in doing so he is controverting, and contravening the doctrine of our standards, which is, that there are three persons in the Godhead, and these three are one God; the same in substance, equal in power and glory. It is a great deal older than the Westminster Confession. It goes back to the time when the three hundred Bishops sat in council at Nice, and formulated this faith. And this Presbytery is called upon in defense of our ancient faith, and in duty to our Divine Master, to disclaim the expressions of a man who teaches Sabellianism in the Presbyterian church.

I pass to the tenth specification, and it is a sermon entitled "Positive Religion" that I refer to. I wish to do Prof. Swing the justice to say that this sermon, so far as it teaches false doctrine, does not teach it in the interests of Atheism, does not teach it inten-

tionally in the interest of error; but intentionally or not, it does teach error, and that is the point I wish to press. The object of this sermon, "Positive Religion," is to construct an argument against the negative tendencies of the times; an argument which shall persuade men that, notwithstanding what rationalists may say, religion is worth having. And it is his mode of constructing his argument and the necessary effects which follow, against which I wish to speak, and to protest.

What does he say? I will read from page 189. "When logic informs you and me that God is a law or a wide spread blind agency, let us not be deceived, for all it has done is to take away *our* God." What is the inference? That logic can take away *our* God; that we, logically speaking, may have no good reason to believe in God, that, driven by logical inferences we should land in skepticism. He says:

Perfect assurance is just as impossible to a free religionist or Atheist, as it is to the Christian. Remembering therefore, that there is no moral idea of beauty or love, or love that may not be denied, and remembering too that the assurance that there is a God is always logically equal to the opposite belief, why should he not abandon a criticism that only destroys and clasps to our souls the grand things we possess, and Christlike, live not to destroy, but to fulfill.

Now, I repeat I am not making charges against Prof. Swing of any intentional disparagement of the doctrine of the being of God, I simply take that sentence and construe it in a plain and obvious sense, and if you will read it, you will find that the logic of it is this: The arguments for the being of God, and the arguments against the being of God balance each other. If an Atheist comes to you and says that logically he finds no good reason for believing in God, you turn right around and say "we have just as good reason for believing in God, as you have for not believing in God. They balance each other equally. Now what turns the scale on the side of Theism, is the fact that if you take religion out of the world, you deprive it of all the joys and hopes of this world, and of all the joys and hopes of the life to come. Now, that is not the position for a Christian to take. But that is not the only thing he says. Turn to page 138—and this is a sentence which I really do not understand, except in the sense that it is not in accordance with what we believe in respect to the existence of a Supreme Being. If I had read this in Matthew Arnold,—if I had just come from the study of Matthew Arnold's St. Paul and Protestantism; remembering his idea that a belief in a personal God is the great fallacy of the world, then I should have understood what was implied in this sentence; for I know Matthew Arnold, and I know he is an Atheist; and I mean by an Atheist a man who does not believe in a personal God. Matthew Arnold does not believe in a personal God, and Matthew Arnold's book is full of just such doctrine as you find in Prof. Swing's sermon. Mr. Swing says: "We know not what nor where is our God, our Heaven." I affirm we do know where God is, for he is everywhere. I affirm, we do know what God is, because he is a Spirit, infinite, eternal and unchangeable is His wisdom, power, holiness, justice, goodness and and truth, and I am surprised that in this nineteenth century this Gospel of Nescience should be proclaimed, and a man should rise in his pulpit and invite his congregation to worship at the altar of an unknown God.

Now in respect to baptism, I will read to you what our Symbols say upon the sacraments in general, and the sacrament of baptism in particular. Chapters 27 and 28.

Sacraments are holy signs and seals of the covenant of grace, immediately instituted by God, to represent Christ and his benefits, and to confirm our interest in him: as also to put a visible difference between those that belong unto the church, and the rest of the world; and solemnly to engage them to the service of God in Christ, according to his word.

There is in every sacrament a spiritual relation or sacramental union, between the sign and the thing signified; whence it comes to pass, that the names and effects of the one are attributed to the other.

The grace which is exhibited in or by the sacraments, rightly used, is not conferred by any power in them; neither doth the efficacy of a sacrament depend upon the piety or intention of him that doth administer it, but upon the work of the Spirit, and the word of institution, which contains, together with a precept authorizing the use thereof, a promise of benefit to worthy receivers.

Baptism is a sacrament of the New Testament, ordained by Jesus Christ, not only for the solemn admission of the party baptized into the visible church, but also to be unto him a sign and seal of the covenant of grace, of his ingrafting into Christ, of regeneration, of remission of sins, and of his giving up unto God, through Jesus Christ, to walk in newness of life: which sacrament is, by Christ's own appointment, to be continued in his church until the end of the world.

Although it be a great sin to contemn or neglect this ordinance, yet grace and salvation are not so inseparably annexed unto it, as that no person can be regenerated or saved without it, or that all that are baptized, are undoubtedly regenerated.

There can be no question that in one sense of the word, our church does attach a great deal of importance to baptism. Now I ask you to read with me this passage and see whether Prof. Swing recognizes the solemnity or importance of baptism. You remember one or two passages in which he spoke of infant baptism, the prayer-book and the surplice, as things below price.

I quote from a sermon entitled, "A Religion of Words."

Then came the days that brought God an offering of words. Imagining Him to be a God of articles and forms, they repeated thousands of words and baptized their guilty foreheads in much or little water as an act of salvation.

And now the world awaits the last transfiguration of human worship, into a spiritual condition, into a soul lifted above sin, and exulting in a nearness to the image of God. The nations await with tears of past sorrow, a religion that shall indeed baptize men and children, either or both, but counting this as only a beautiful form shall take the souls of men into the atmosphere of Jesus, and into the all-pervading presence of God, and detain them there, until sin shall have become a hated monster, and perfection of spirit the heaven of this life, and that to come. Terms must give place to righteousness and communion with God.

Prof. Swing.—I endorse that fully.

Prof. Patton.—Mr. Moderator, I remember some years ago, when a member of the Presbytery of New York, that we were called upon to inquire, by direction of the General Assembly, whether the ordinance of Christian Baptism was administered throughout the several households of our congregations. The reason of the inquiry was that it had been alleged that there was a great tendency on the part of our people to neglect this ordinance; and I take it, sir, if the inquiry were instituted again, you would find that not only in this city, but in other cities, and in a great many congregations, there are a great many Presbyterians who are good Presbyterians in other respects but who neglect the ordinance of infant baptism, and, who do not recognize the claims of the household covenant; and, if every Presbyterian minister should do as Prof. Swing did—should go into his pulpit and affirm that baptism is "only a beautiful form," I would not be surprised if this neglect of infant baptism should increase until the Baptist denomination would swallow us up, and there would be no need for any talk about close communion.

It is not for me to vindicate the truth of the Confession of Faith; if it is true, so much the better. If it is not true, all the same. This court, in adjudicating upon a case wherein a charge is made to the effect, that a man does not receive the Confession of Faith, is not called upon to enter into the question whether the Confession of the Faith is true. The Confession of Faith is the symbol of the Presbyterian Church. It is the doctrinal basis of this great Church, and we are in good and regular standing in the Presbyterian Church, in virtue of the fact that we do receive, and sincerely adopt the Confession of Faith of this Church.

Now I will read the twelfth specification, which sets out that

He has used language in reference to Penelope and Socrates which is unwarrantable, and contrary to the teachings of the Confession of Faith. Chapter 10, section 4. That is to say that in his sermon entitled, "Soul Culture," the following passage occurs: "There is no doubt the notorious Catharine II. held more truth and better truth than was known to all classic Greece—held to a belief in a Saviour of whose glory that gifted man knew naught; yet such the grandeur of soul above mind that I doubt not that Queen Penelope of the dark land, and the doubting Socrates have received at Heaven's gate a sweeter welcome sung of angels than greeted the ear of Russia's brilliant, but false-lived queen."

I will read the Confession of Faith, chapter 10, section 4; and the question I wish you to answer is this: Whether the teachings of Prof. Swing harmonize with the Confession of Faith.

Chapter 10, section 4. Others, not elected, although they may be called by the ministry of the word, and may have some common operations of the spirit, yet they never truly come to Christ, and therefore cannot be saved; much less can men, not professing the Christian religion, be saved in any other way whatsoever, be they never so diligent to frame their lives according to the light of nature, and the law of that religion they do profess; and to assert and maintain that they may is very pernicious, and to be detested.

I understand why Prof. Swing expresses no doubt about Penelope or about Socrates. Prof. Swing's theory of salvation is that we enter Heaven on the ground of our good works, and since Socrates was a better man

than some people who have professed, and call themselves Christians, it is fair to presume that he went to Heaven. But, I want you to understand this is not an antithesis between Catharine II., who went to perdition, and Penelope, who went to Heaven. The meaning of the statement is that both went to Heaven, and the only point of difference is that Penelope got there first and had a better welcome given her. We have no right to dogmatize to the effect that the heathen, without Christ, can be saved. I should like to know what our missionary Societies mean. I would like to know why we feel it necessary to go to India to carry our Christianity to those Brahmins; why, the Apostle Paul felt himself called upon to go to preach to the cultivated people of Athens. If he thought the people could be saved by good works and that their morality would bring them into the Kingdom of God, I do not understand why the Apostle found it necessary to rear the argument of his epistle to the Romans upon the basis of universal condemnation. If we believe in the salvation of the heathen, without the knowledge of Christ, you overthrow the reason for the propagation of Christianity; you cut the nerve of missionary effort; you destroy the force and cogency of the Apostle's argument as laid down in the epistle to the Romans, and you reduce to a nulity the statement, "How can they believe in him of whom they have not heard and how can they hear without a preacher?"

But I pass to the next Specification: it is on the subject of Providence of God. I will leave that for another Session. I will speak now on the subject of the Christian Ministry. The Presbytery will remember that when the prosecution called to the witness stand Dr. Swazey, and Mr. Goudy, and Mr. Miller, the impressions given in evidence respecting that sermon were so different in character that we all concluded—for I anticipate the judgment of the house—that Dr. Swazey and Mr. Goudy were testifying to different sermons. I have in my hand the sermon which was preached at Dr. Swazey's installation; and whether it is a different sermon from that preached in Standard Hall or not, I can't say, but the Court will remember the testimony of Mr. Goudy, and they will at once say, if it is a different sermon, the sentiments are strikingly similar in both. I will read portions of the sermon.

Thus the minister of the gospel was the result of the power called division of labor, which man could not grade; were it necessary for all to do all things, the world would become a savage race. In the workings of this vast law the office of the ministry has evolved. It was the result of society as organized by the Creator. The moment man became a religious being, and it became evident that there were moral as well as material things, the minister's office sprang up. If society demanded artizans or students, of rights equally it demanded men to study the duties of men and the prospect of a life to come. As a flower was pushed above the earth by hidden powers below, so the office of the minister was pressed out of society and had its basis on no miracles. It was created to a career which was second in honor to none. Whatever of weakness it had was the weakness, not of its office, but of the man. Grecian music and Egyptian architecture were weak and absurd, but the fault was not with the art, but with the Greek and the Egyptian. The value of division of labor depended on what was divided. The specialization had its value determined by that which was divided up. Not only was the ministry the outburst of a common heart, but having fallen upon Christian truth it was twice honored. Here the division of labor was grand. It not only placed man at a specified labor, but at a labor which was grand. In these two thoughts, that society had created the office, and that Christ had endowed it with a fortune of truth, the minister of the gospel ought to feel a heroism in every duty, and in every calamity. Pitt and Burke were no more anxious to do humanity's wish than were Robert Hall and John Wesley. * * * * * The ministry appeared because man had a moral nature and a living soul, and the Christian minister appeared because Christ was the best guide and the best Saviour of that living soul. The minister appeared like the statesman, in answer to a call from mankind. He was not a parasite, like the mistletoe, but like a great tree drew his nourishment direct from the soil. He did not regard the ministry as existing through a special tolerance of God. It was not long ago that young men used to watch their dreams for a call to the ministry; let a Bible fall open in their hands for an omen. Thus practice not only introduced to the ministry men more fitted to the law or the plow, but built up a barrier between the minister and the secular man. He (the speaker) believed in calls, but not in a monopoly of them by the minister. It was this conviction alone that could build up the ties which held humanity together and produced conversions. The professions must all love one another before they could cherish the same sentiments. Out of life's casuistry, its sorrows and sins, its mystery of death, had grown the ministry; a delicate plant,

watered by tears of sorrow and tears of joy, whose roots were in two world's. It is the world's common sense that called them and they came.

Now I will read the Confession of Faith, which this specification is alleged to contravene. Chap. xxv, Sec. viii.

Unto this Catholic, visible Church, Christ hath given the ministry, oracles, and ordinances, of God, for the gathering and perfection of the saints, in this life, to the end of the world: and doth by His own presence and Spirit, according to His promise, make them effectual thereunto.

Our church proceeds upon the idea that there is a society in this world divinely appointed; divinely officered; and that men are called into the ministry by Divine Providence. That men are invested with office by those who have the right to transmit that office; "the things which thou hast heard, of me the same commit thou to faithful men who shall be able to teach others also." Professor Swing's sermon, if it means anything, means that the Christian ministry has no right or standing in the Bible; that it is an outgrowth of circumstances; that it is a result of the law of division of labor; it is something Adam Smith would have put in his book, and not something which claims to stand by Divine right. We hold that the Christian minister has an official relation; that he is the ambassador of the Lord Jesus Christ speaking by authority, blessing the people, and administering the sacraments in the name of Him from whom he receives his great commission. Doctor Swazey tells us that he never heard a sermon which better expressed his idea of the Christian ministry, and when he went on to tell us about it, he said, "It was an attempt to get at the rationale of the Christian ministry—'a digging under.'" I think it was a "digging under"—an undermining of the whole Christian Church.

I will go now to the fifteenth specification, quoting here from the sermon entitled "A Religion of Words."

But our theme for the hour is that a spiritual religion comes last in human experience, and before it comes a religion of things and of words. To offer things to God was earth's first form of being religious. The old temples were full of bows, arrows, shields, helmets and jewels put away from human use by a solemn gift-making to the gods. Horace reveals the fact in one of his poems that the sailor rescued from drowning hung up in the temple what he wore on his body when the divinity rescued him from the grave. A gift was the only known acknowledgment. Different cities vied with each other in making their gods rich. What gold! what garments, what jewels, what armor in the temple of Juno, and what luxuries there were in the temple of Jupiter!

* * * *

The Athenians, upon the eve of a battle, vowed to Apollo that if he would grant them success they would offer to him as many kids as there were slain of the enemy on the field of battle, and so bloody was their success that the classic nation did not possess flocks enough to meet the vow of the worshippers, and the state funded, as it were, the promise, and offered five hundred a year through successive generations.

Worship was thus conducted by offerings. From baskets of fruit and flowers to thousands of valuable sheep and oxen, gifts were heaped upon the altars. At the dedication of his temple which was itself a costly present to Jehovah, Solomon sacrificed twenty-two thousand oxen and one hundred and twenty thousand sheep as an offering to Him who had brought them out of the land of Egypt, and out of the house of bondage. All the earth was covered with this religion of gifts. Hindoo and African, Jew and Gentile, Indian and Roman, Parthian and Greek, accomplished the life of religion by offering some things to their favorite deity.

* * * * *

The gift-worship at last passed away. Christ, long borne in such an earthly casket, outgrew the narrow confines and appeared in fullness and broad liberty. In Palestine the religion of gifts terminated virtually in the Sermon upon the Mount, and in the marvelous spiritual life of Jesus. If the soul has lost virtue and piety, the salvation will be found in a return to piety and purity, and the truths of salvation will be those that lead him to that one result. This is the destiny of Christ's mediation. Hence the essence of religion is found in the one event or phenomenon, a righteous heart. Gifts to the Deity were the infant creepings of religion, the shadow of a coming reality, the manifestations of an incipient love that did not know how to express itself. Not knowing that what God most wished was a pure heart in His children, they loaded His temples with their jewels and raiment, and His altars with their lambs.

Now, there is no question but that in that sermon the sacrifices of the Jews are put into the same category with similar services of other nations. The language applied to the sacrifices of the Romans, and the Parthians, and the Egyptians, is applied to the sacrifices of the Jews. Now, I have no fault to find with the theories as to the origin of the sacrifices when he refers to the Romans or Greeks, but when the theory of sacrifice, such as is hinted at in Professor Swing's sermon, to the effect that it is gift-worship,

is spoken of as applying to the Jews, then I protest, because in such a theory is wrapped up the discarding of the essential idea of the atonement. He says, alluding to the Jews:

Gifts to the deity were the infant creepings of religion; the shadow of the coming reality; the manifestations of an incipient love that did not know how to express itself. Not knowing that what God most wished was a pure heart in His children, they loaded His temples with their jewels and raiment and His altars with their lambs.

I have three objections to that, and they are fatal to it. In the first place, there is the objection that grows out of its being a denial, point-blank, of the statements of Scripture. If I read the Book of Leviticus right, particularly the 16th chapter of the book of Leviticus, I get a very different notion about sacrifice. I do not find that it was an expedient that people resorted to, because people did not know any better, but I find it was a divine ordinance, and was observed with minuteness of detail which had been before established by God. And such a statement as Professor Swing makes is in the face of the Bible. In the second place, because it is a discarding of the theory which underlies the sacrifice. When Toplady wrote:

"Be of sin the double cure,
Cleanse me from its guilt and power."

Which some people have had the vandalism to change, he meant something and he meant to recognize this cardinal theological fact, to wit: that sin has in the first place, made us amenable to law and put us under condemnation—which is guilt; in the second place, that sin has wrought corruption in our hearts, so that we need a change of character. From these two grow justification and regeneration. From these two factors grow the work of Christ on one side and the work of the Holy Ghost on the other. From these came the ordinance of baptism, signifying the work of the Spirit on the one hand as removing the pollution, and the Lord's Supper as signifying the atonement from the guilt.

Now, when you tell me that the sacrifices of the Old Testament were simply gift worship, you rob the Bible of one-half of its doctrine of sin. I tell you the great difficulty in Professor Swing's theology, as it is the representative difficulty in the moral influence theology, is that it robs the Bible of the idea of guilt and justification, and the vicarious atonement of Christ. We have in the Old Testament these two ideas of guilt and pollution, offset on one side by the sacrifices—for without the shedding of blood there is no remission—and on the other side by purifications. The objection to the statement is, that it is not only a point blank contradiction of the Bible as to the origin and divine sanctions of sacrifice, but it is an implicit denial of the element of guilt in the doctrine of sin. And it is open to still another objection—an objection which you will have already anticipated, to wit: That as you judge of the sacrifices in the Book of Leviticus, so will you judge of the sacrifice of the Lord Jesus Christ. If you take the ground that the sacrifices of the Old Testament are simply gift worship, expedients devised by the human heart and not divine appointments, foreshadowing the coming of the Lord Jesus Christ, then when you come to the Gospel and find Christ spoken of as the Lamb of the World, you are left without any mode of exegesis. You can't tell what it means when you come to a passage which speaks about propitiation of sin. Unless you have some theory of the meaning of propitiation in the Old Testament, you can't tell what propitiation means in reference to the Lord Jesus Christ. For the members of this court know that the obstacles which stand in the way of those who wish to rob the Bible of this idea, are the Book of Leviticus and the Epistle of Paul to the Hebrews. If you could take that out of the Bible, which is simply a commentary written with God's own finger, on the Book of Leviticus—the priesthood of the Old Testament and the priesthood of Christ—you would have a material fact, establishing, with more cogency than you now have, the doctrine of the moral influence theory of the atonement. But the thing which stares Dr. Bushnell, and Stanley, and Maurice in the face is this old system of sacrifice, is this old Book of Leviticus,—this story of the scape goat in the 16th chapter of Leviticus. And until you get that out of the Bible, you are bound to stand upon the doctrine of the Presbyterian Church, to wit: that when Christ died, He offered Himself up as a sacrifice to satisfy divine justice and reconcile us to God. When I find a statement like this in Prof. Swing's sermon, I have the foreshadowing of a doctrine which betrays the glorious Gospel of the Lord Jesus Christ, and that is why I object to it.

The Presbytery then took a recess until 2:30 P. M.

The Presbytery met pursuant to adjournment, at 2:30 P. M., when Prof. Patton resumed his argument as follows:

The next specification, Mr. Moderator, in order would be the sixteenth; but as I have already anticipated, in substance, what is involved in it, and as I may have occasion to go over the same ground in what I shall yet say, I will pass it by, reminding the court however, of the statements made yesterday in reference to Mr. Mill, and in reference to M. Cousin.

Seventeenth specification. I have heard it said repeatedly that the great difference between Prof. Swing and his ministerial brethren is, that he avoids the use of theological terms, or, as it is somewhat facetiously put—he gets out of the usual theological ruts. Now, Mr. Moderator, were Prof. Swing studiously to avoid the use of theological terms, I think that one great cause of the misunderstanding which now exists would be removed. I believe that one great reason why he retains the confidence of evangelical people is because he continues to make use of evangelical terminology. And it is an important point in this case, to remember that when you see the words "regeneration," "conversion," "justification," "divine," "Saviour," and "salvation," you are not to conclude your examination, and assume that these words mean in his dictionary what they mean in yours. The necessities of this controversy require me to use language in reference to the Unitarian denomination by way of antithesis, which I hope will not be construed into any intention of disrespect towards that body Those gentlemen who sincerely, and honestly, and in a manly way, avow their Unitarian sentiments, I know very well, will respect me in avowing as explicitly my difference with them, and my belief in contradictory sentiments. But what I wish to say, is, that we must remember that we are not alone in the use of these words; that the Presbyterians, Methodists, Baptists, Episcopalians, and Congregationalists, do not have a monopoly of the words "regeneration," "justification," "divine," "Saviour," "salvation," conversion," and that therefore, it becomes us to understand what these words import when they are used. An ordinary Christian goes into a Unitarian church, hears the minister talk about regeneration, and says: "That man preaches about the same as our minister does. He preached about regeneration to-day; he can't be so different from us. He said the Saviour was divine. He talked about justification and regeneration, and the Saviour and salvation." It becomes us, therefore, to scrutinize these words and scan their meaning, that we may see whether Prof. Swing does use them in the evangelical sense. A study of his sermons has impressed upon my mind a very serious doubt as to whether he uses these words in their evangelical sense—I mean in the sense believed by the Presbyterian church, for I believe that is least discourteous and the least arrogant way of putting it. Here is a sentence from Prof. Swing's sermon on "a Religion of Words."

A spiritual religion announced and a spiritual religion accepted are different matters. A divine being and a few followers may announce one, but the world is always far below the leading divine souls, and hence after heavenly words are announced it will continue for a time in paths much like those of yesterday. A resemblance is demanded.

He speaks first of a divine being and he then speaks of a few leading divine souls. Then, in another sermon, "St. Paul and the Golden Age," he says: "For of these four great ideas this is nothing else than a divineness of soul, a rising above things material." That divineness of soul there spoken of is a characteristic of the Christian. Now, when Prof. Swing speaks also of the "divineness" of our Lord and here of the "divineness" of Christians, am I a very wicked man for saying I don't know whether he believes Christ is God? In the sermon entitled Christianity and Dogma, he says, "I shall now approach a more warmly disputed proposition—that the divineness of Christ is something essential to the Christian system." Now, I should like to know whether when he speaks of "divineness" as an attribute to Christ, he means something different from "divineness" as an attribute of Christians. And when he affirms that Christ is "divine" whether he means something different from what he does when he affirms that men are "divine." His language does not furnish an answer to that question. That he does not use the word "justification" as the Presbyterian church uses it, will be shown when we consider the question of justification. The words "regeneration" and "conversion," occur very frequently in Prof. Swing's sermons, and one who has not given those sermons special consideration, and who does

not remember that those words are used in a sense different from the Presbyterian sense by Unitarians, might not think it necessary to inquire whether regeneration in Prof. Swing's vocabulary, is the same as regeneration in the Confession of Faith. I confess that Prof. Swing uses the words "conversion" and "regeneration" in such a sense that I am constrained to believe that he does not use them in the sense in which you and I would use them, Mr. Moderator. By regeneration, in the sense imposed upon that word by the Presbyterian church, we mean an act. Regeneration, as used by Prof. Swing, seems to be a work. Regeneration, as used by the Presbyterian church, is a divine act. Regeneration, as used by Prof. Swing, is moral reformation. Regeneration, as understood by the Presbyterian church, is the act of God's Holy Spirit, whereby "convincing us of our sin and misery, enlightening our minds in the knowledge of Christ, he doth persuade and enable us to receive Jesus Christ as He is freely offered us in the Gospel." That is what we mean by regeneration; and conversion, in our vocabulary is simply the same idea looked at from a human point of view, for it is in virtue of the divine agency putting into us a new principle that we do *turn about* and live a new life; but the regeneration comes first and the conversion follows. The regeneration is God's work and the conversion man's. Now, what is Prof. Swing's view upon that question? You must remember that this word—"regeneration"—is used by all sorts of people. It is used by everybody, whether they think, or know, or believe anything about theology or not. It was used by John Stuart Mill. Let me read a passage. He says:

Many essential elements of the highest morality are among the things not provided for, nor intended to be provided for, in the recorded deliverances of the Founder of Christianity, and which had been entirely thrown aside in the system of ethics erected on the basis of these deliverances by the Christian Church. * * * I believe that other ethics than any which can be erected from exclusively Christian sources, must exist side by side with Christian ethics to produce the moral regeneration of mankind.

I said that Presbyterians are not the only religious denomination who use the word regeneration. I said that Unitarians use the words regeneration and conversion,—and they distinguish between regeneration and conversion as I think they ought to distinguish, only their distinction is a little different from ours—very different. Let me read from James Freeman Clarke, about regeneration and conversion, page 181.

Section 8. *Differences between Conversion and Regeneration.* Conversion is an act, regeneration an experience. "Turn ye, turn ye, for why will ye die?" is the command of the Old Testament. "Repent and be converted that your sins may be blotted out;" "repent and be baptized and ye shall receive the gift of the Holy Ghost," is the command of the New Testament. It is a duty to repent; but to become regenerated is not a duty; *that* is a gift to be received afterwards. God commands conversion, he bestows regeneration. Submission is an act of our own, faith is the gift of God. A change of outward life and conduct we can accomplish ourselves; at least we can endeavor to accomplish it; but the change of heart God himself will bestow. Conversion, a turning round, is necessarily instantaneous—it is a change. But regeneration, or reception of divine love, is a state, not sudden, but passing by gradations into a deeper and deeper life of faith and joy.

Now, I will read a few passages from Prof. Swing's discourses which bears upon this question of conversion and of regeneration, and I will ask whether they do not strongly suggest the idea that he uses these words in a sense at least different from that in which they are used by the Presbyterian Church.

I will read from the sermon called "The Gradual Decline of Vice."

The discourse before you last Sunday closed with an appeal to you to gird up your strength against the evils of the age; but that we may all possess some general, truthful view of the work on hand, of its magnitude and despair or hope, it seems desirable that an hour should be given to inquiry as to the present attitude of human depravity compared with the long yesterday. This inquiry may lead us along two paths, the one leading through the *a priori* question, What should be the result of the increase of knowledge? The other leading through the actual facts with the question, What has been the history of sin? The relation between knowledge and virtue is, as a general truth, the relation between a cause and an effect. While no one will contend that knowledge will fully regenerate the heart and make a saint out of a sinner, yet the tendency of information is to raise the individual to a higher plane of morality. It is a great mistake to suppose that all the ills of mankind come from their not being religious or conscientious, and that all the human family needs is a sudden conversion to our Christianity. Conversion will only check those actions which the mind knows to be wrong, but will only add fuel to a line of bad con-

duct, which the mind supposes to be right. Religious conversion brings only an increased desire to follow the right, but it does not designate a new right for the mind. Hence, in the dark ages, a religious revival among the Catholics was always attended by a new slaughter of Protestants, because the new zeal in the heart did not bring any new information to the intellect, but only fanned the existing ideas into flame. What is demanded along with a well-disposed heart is a well-informed intellect. However good a man may be, it will be perfectly impossible for him to escape a vice unless he knows it to be such, and hence information or knowledge is an absolute condition of morality or manhood. The opium-eaters among the lowest classes in China, and the dirt-eaters and whisky drinkers among the Indian tribes, do not descend from an origin of sin only, but from an ancestry of ignorance. Their noble life will come not simply from a study of religion, but also from a study of physiology and all the laws of health and refinement. Men are bad enough through sin, but they are wretched beyond this through ignorance. In India the most devout fakirs, who live for nothing but God and the soul, will once a day roll in the mud, or in the foulest gutter, in order to show their contempt for the sinful thing called the body. Now what those fakirs need is not an increase of religion, but an increase of sense. They need to learn that sin is not in the body but in the soul, and that the true God is not a being worshipped by a beastly conduct, by a wollowing in the mire, but by a noble, perfect soul in a pure, perfect body. When Christ forgave His murderers, on the ground that they *knew not what they did*, He re-affirmed for us the proposition that much of the world's sin and evil comes from an ignorance that thinks, in the midst of awful actions, that it is doing God's service. It serves Satan under the supposition that he is God. The evils of the world are wider than the direct desire of Mankind to commit sin, for millions do wrong supposing it to be right; hence, in order to find some foundation as broad as this dreadful superstructure, we must combine ignorance and wickedness, and then we have the base adequate for the fabric.

Having thus found that ignorance is a vast cause of the world's great evils, we infer from the gradual spread of intelligence that the great vices are on the gradual decline. If the cause is declining we need no *a posteriori* inquiry to show us that the effect must be so far on the wane.

In the sermon entitled "Christianity a Life," he says:

Our century perceives that under all the pursuits and pleasures of this existence the law of a spiritual nature may lie, and that a naturalist, or a statesman, or a queen, or a musician, or a judge on the bench, or a young heart in the open fields, may be wholly within the spiritual life introduced to our gaze by the Saviour. The law of the spirit of life in Christ is nothing more than a grand, broad human life, all pervaded by righteousness and a certain elevated sentiment toward God and man. A spiritual life is only a life purified and elevated.

In the same sermon, referring to the influence of Roman Catholicism in Ireland, he says:

There can be no Christianity without a new spiritual life. Its first move is to rise above intemperance, above all bad passions, above ignorance, above idleness, above barbarism, which is only a general name for sin, and to this end it is a light to enlighten and a spirit to transform; and under these forces the soul becomes freed from the law of sin and death, and rises like Paul, up toward the higher being. But instead of going to the Green Isle with this spiritual regeneration, two of the largest churches in Christendom, the Roman and the English, repaired thither—the former with nothing but a poor belief, the latter with taxes and with the same belief, only modified far enough to become unwelcome.

In these passages, and in all the writings of Professor Swing, regeneration means reformation.

I know of no church which is now within the pale of Christendom in which it is taught that irrespective of a man's life, he is ushered into an elysium when he dies. I believe, in the earlier history of Universalism in this country that doctrine was taught, but at the present time,—and I know this is a disputed question among some of the denominations, and yet I have the good authority of as representative a man as Dr. Ryder, for saying, at the present time the Universalist denomination do believe in future punishment, and they believe that sin is always punished. They do not believe in the eternity of future punishment; so that the fact that a man believes in a future punishment beyond the grave, does not, *ipso facto* place him within the pale of the Presbyterian Churches, nor does the fact that he believes that sin carries with it its own punishment in this world, as well as in the world to come, of itself, place him within the pale of the Presbyterian Church, upon the doctrine of that church.

Now, it has been quoted in evidence here that Prof. Swing believes in future punishment, and he himself has stated that he believes in the final separation of the righteous and the wicked. Does he believe in the eternity of future punishment, and does he believe that God is not only Father, but Sovereign; that we are to appear before the

judgment seat of Christ; that we are to receive recompense for the things done in the body, whether they be good or bad; that those who have done evil shall go away into everlasting punishment, not merely as the natural fruit of their doing it by way of natural consequence, but by the way of a just punishment for sin, and a punishment for the glory of a just God? Does he believe that? There is nothing in any language he has used, to teach it. I know he has said, and it was quoted as the strongest language, for I suppose the defense would quote the strongest language they could get in support of the proposition, that he does teach this evangelical doctrine. This passage was quoted from the sermon on "Salvation and Morality." "There is a Christianity which will save the world. It has not only a faith, but it has a morality as essential as its faith. It not only says, 'Believe and be saved,' but it assigns damnation to him who leads a wicked life."

I don't know whether the Universalists would use the word damnation or not, but they hold the doctrine of that sentence. There is not a Universalist minister in this city but would teach it. Now, how am I to interpret that sentence? If that were to come from your lips, Mr. Moderator, I should say that you meant that in the sense of the Presbyterian Confession of Faith, for this reason, that nothing has ever come from your lips to give me reason for interpreting it in any other sense. Now, I put alongside of that this statement from "Truths for To-Day." He says, "The least trace of infidelity lessens the activity. Unbelief brings all to a halt, and damns the soul, not by a special decree, but by interrupting the best flow of its life. Unbelief is not an arbitrary but a natural damnation."

Well, now, Mr. Moderator, I am in the habit of believing the Bible. When it says there is to be this great white throne, I believe it. And when its says we are all to appear before the judgment seat of Christ, the sheep on the right hand and the goats on the left, and that we are to receive from the lips of the blessed Jesus the welcome "Come ye blessed of my father inherit the kingdom prepared for you from the foundation of the world." I shall not call that any natural kind of salvation. I shall say by the grace of God I am what I am, and go up to glory singing "unto him who loved us, and hath washed us from our sins in his own blood, and hath made us kings and priests, unto God and his Father, unto Him be glory for ever, Amen." And when he says unto those on the left hand "Depart from me ye cursed, into everlasting fire prepared for the Devil and angels," I do not think we will express the truth if we simply say that their damnation is simply the "arrest of the best flow of a man's life, and a natural damnation, but on the contrary, that it is a judicial infliction of a righteous sentence from the lips of a righteous God, whose law has been violated. And that is what our standards teach. You may revile the standards, if you please. You may say the Presbyterian church is pandering to infidelity. You may say that, by her awful doctrine of Hell, taught with such "terrible plainness," she has done something towards ministering to rationalism. Be it so, though I deny it. That is the doctrine of the Presbyterian church, and being the doctrine of the Presbyterian church, I believe it. If I did not believe it I would say so, and leave the Presbyterian church.

Now, let me read you the Confession of Faith, Chapter 33, section 2.

The end of God's appointing this day is for the manifestation of the glory of His mercy in the eternal salvation of the elect; and of his justice in the damnation of the reprobate, who are wicked and disobedient. For then shall the righteous go into everlasting life, and receive the fullness of joy and refreshing which shall come from the presence of the Lord; but the wicked who know not God, and obey not the gospel of Jesus Christ, shall be cast into eternal torments, and be punished with everlasting destruction from the presence of the Lord and from the glory of His power.

That is strong language, but if you want any stronger language than that I will go to the four Gospels, and in words which fell so frequently from the lips of our gentle Redeemer, prove to you that if His authority is worth anything, the doctrine is true, and the terrible responsibility of the preacher and the great need of evangelizing the world, and what gives nerve to missionary effort is the fact that that doctrine is true.

I will read now, several specifications, and instead of taking them up one by one, I shall group them under a discussion of the doctrine which is involved in them all, and allude to them from time to time as occasion may serve.

SPECIFICATION XIX. He teaches that faith saves because it leads to holy life; that salvation by faith is not peculiar to Christiani-

ty; that salvation is a matter of degree, and that the supremacy of faith in salvation arises out of the fact that it goes further than other Christian graces towards making men holy; that is to say, in the sermons entitled "Faith," printed in the volume called "Truths for To-day," the following and similar language occurs: "Faith in Christ is a rich soil, out of which Righteousness is a gorgeous bloom." "If there were enough truth—truth of morals and redemption, in the Mohammedan or Buddhist system to save the soul—faith would be the law of salvation within these systems." "Salvation by faith is not a creation or invention of the New Testament, but is a law that has pushed its way up into the New Testament from the realm without." "No other grace could so save the soul. Charity may do much. It softens the heart, and drags along a train of virtues; but it is limited by the horizon of this life. Voltaire and Paine were both beautiful in charity toward the poor, but that virtue seems inadequate; and of the highest forms of charity a religious faith is the best cause, and hence charity must take the place, not of a leader, but of one that is led. Even penitence is a poor 'saving grace' compared with faith." See Confession of Faith, chaps. ix. xvi.

SPECIFICATION XX.—He teaches that men are saved by works; that is to say, in the sermons entitled "Good Works," "The Value of Yesterday," "A Religion of Words," the following and similar language occurs: "There is nothing society so much needs to-day as not Divine righteousness but human righteousness." "Heaven is a height to which men climb on the deeds of this life." "Coming to the grave, he only can look forward with joy who can sweetly look back." "The good deeds of yesterday, the good deeds of to-day, the perfected goodness of to-morrow, a deep love for man, a consciousness of the presence of God, will fill the whole place with a nobleness and happiness to which earth has thus far been willingly a stranger. This will be a salvation, and Christ will be a Saviour." (Confession of Faith, chap. xi, sec. 14.)

SPECIFICATION XXI.—He denies the doctrine of Justification by Faith, as held by the Reformed Churches, and taught in the Westminster Confession of Faith; chapter xi, that is to say, in the sermon entitled "Good Works," he uses the following and similar language: "Works, that is, results—a new life—are the destiny of faith, the reason of its wonderful play of light on the religious horizon. Faith, as a belief and a friendship, is good, so far as it bears the soul to this moral perfection."

SPECIFICATION XXII.—In the sermon aforesaid misrepresents the doctrinal views of those who believe in Justification by Faith alone, by using language which is calculated to produce the impression that those who hold the doctrine aforesaid, divorce faith from morals, and believe that men may be saved by an intellectual assent to a creed without regard to personal character.

The Moderator.—Where do you find the last quotation in Specification 20? Where does that occur?

Prof. Patton.—I can't tell you at this moment; I think it is in the "Religion of Words," about the last part of the sermon.

Now, Mr. Moderator, history repeats herself. Our discussion is not to-day with the Roman Catholic Church, but the doctrine in issue is the doctrine which Luther defended against the church of Rome. The Acropolis of the Christian faith, is the doctrine of justification by faith. That made the Reformation. That makes Presbyterianism; and when you depart from it you leave the cardinal doctrines of Christianity behind you. I claim that Prof. Swing does not believe in the doctrine of Justification by Faith as it is taught in the Symbols of the Presbyterian church, and the Symbols of all the Calvinistic churches. What do we understand by Justification by Faith? What is the *nature* of Justification? There are just two possible opinions on this question. Justification either expresses a legal change in a man's condition or an actual change in a man's character. It means either a judicial act on the part of God declaring man just, or it means an actual change in a man's nature by which he becomes just.

Now the doctrine of the Roman Catholic Church was that Justification means making holy; that a justified person was a holy person. And the issue in the main with the Catholic Church at the time of this great controversy was to settle that question and to deny that Justification meant a making holy and to affirm that it was a judicial act. All persons who hold the doctrine of Justification in its evangelical sense as opposed to mysticism on the one side and as opposed to Romanism on the other side, affirm that by it they mean a judicial act on the part of God. Now when you come to those who affirm that Justification is a judicial act on the part of God, we find a difference again. We find for instance our Arminian brethren going with us thus far, but our paths diverge at this point; for they say that Justification means pardon. We say that it means pardon plus something else. To illustrate: it is one thing for the executive to say to the criminal whom he has pardoned: "Go out of jail, I pardon you," and it is another thing

for him to say, "Come home and take supper with me, and be a guest in my house." But this is just the difference so far as God is concerned and so far as the teachings of our standards are concerned. When God justifies a man, He not only pardons him, but he says, "Come; the oxen and the fatlings are killed, and everything is ready. Come home to the marriage supper of the Lamb."

Now our Confession of Faith expresses that idea in this way. "Justification is an act of God's free grace wherein he freely pardoneth all our sins." The Arminians will go with us thus far, hand in hand. "And accepteth us as righteous in his sight," we say; and that makes the difference between Calvinism and Arminianism.

Our standards, therefore, define justification. It is an act. It is an act of God. It is an act of God's free grace. It is an act of God's free grace wherein he pardons our sins; and it is an act of God's free grace wherein, in addition to pardoning our sins, he counts us as if we were righteous.

Does Prof. Swing believe that? No, he does not, because if he did he could not write these sentences. Page 111, "Truths for To-day:"

Faith indeed, will save a soul, but faith, then, is not rigidly a belief. It is more, it is a friendship, for the word belief is often omitted, and for whole pages the love for Christ reigns in its stead. In St. John, the word "love" quite excludes the word "faith." Faith, therefore, being a devotion to a leader, a mere belief is nothing. A man is justified by his active affections and not by his acquiescence in some principle.

Now, read that sentence, and suppose he means by justification, pardon—"A man is pardoned by his active affections;" a man is counted righteous in the sight of God by his "active affections." You can't read it in that way at all. Now, let us suppose that it means personal holiness; that it means to make a man personally righteous, and we will see how it will fit. "A man is made just—a man is made holy, (not is pardoned) and made righteous, but is made holy by his active affections." You cannot, with any degree of consistency, impose upon the language of Prof. Swing the doctrine of the Presbyterian Church. You cannot consistently interpret his words to mean that justification is an act of God's free grace wherein He pardoneth all our sins, and counts us as if we were righteous. "As man by his sin lost the image of God, so by faith, that is devotion to Christ, he is by cross and forgiveness and by conversion, rewards of his love, carried back to the lost holiness. * * * Faith, as a belief and a friendship, is good so far as it bears the soul to this moral perfection. This perfection is the city to which faith is an open way, and the only highway and gate; therefore, by the final works or condition a man is justified." You can interpret this language if you say that justification means personal character; if you take the ground of the Romanists on the one side, and the Mystics on the other, and of Dr. Bushnell also, to the effect that justification means personal character. Then, you can reconcile them. And until I have a direct contradiction from Prof. Swing I shall believe that is what he maintains.

Now what is the *ground* of justification—because there are just two views you can take on that subject; and I shall express those views, and show where Prof. Swing belongs in this classification. There are just two possible positions that you can maintain generically, though there are specific variations under at least one of them. There is the subjective view of justification, and there is the objective view of justification. There is the idea that God justifies us by looking at what we are personally, and there is the idea that he justifies us by looking at another. One is objective, and the other is subjective.

Now I am going to speak of subjective justification first—and it is under this head Professor Swing belongs. The Roman Catholics believe in justification, and I mention them first. What is justification according to them? It is just this: You take a sacrament. The result of that is, there will be an infusion of holiness. The effect of that will be a good life. The infusion of habits of grace is your first justification, and the good life that follows is your second justification. Justification, in the Roman Catholic vocabulary, is simply the good character that a man attains unto, which God looks at; and the main feature of Roman Catholic theology is that man gets this good character by sacramentarian practice; that is to say, you take a sacrament, be baptised, and through the merits of Christ's death new life will be infused, whereby you become cleansed from all sin. Habits of grace are put in you, and you live a holy career. But what God looks at is you—your personal

character and your justification is your holy life. The Arminians believe in subjective justification. They say that we are born in sin, and are dead in sin. Mark that to their credit, because they agree with us on that point. We go hand in hand until we are in the territory covered by grace. That is the main difference between us. They say God gives sufficient grace to every man, and they say, too, Jesus Christ died as a propitiatory sacrifice. The difference between us is just this: They say that in virtue of the death of Christ, God has lowered the demands of His law, so that instead of exacting from us the obedience Adam was required to render, God compromises, as it were, and takes an incomplete, or what is called an evangelical obedience.

Now, justification, in the Arminian's vocabulary, is pardon; and faith, in his vocabulary, is evangelical obedience, which is obedience to the law God requires of us, and because of the death of Christ. Obey that law, and you will be pardoned. That is their view, and it is evangelical because it is based upon the atonement of Christ and His expiatory sacrifice.

Now I want to speak of the moral influence theory and we will see the difference. It does not have a word to say about the justice or the sovereignty of God, or the law of God, but it starts at this point in man's history, and says "here, man is a sinner, and the natural effect of sin is suffering." It is certain that if a man does sin, he will suffer, and the only way for him to get rid of his suffering, is to get rid of sin, according to the moral influence theory—he is to get rid of sin. If you break your leg, you will suffer, and the only way to get rid of the disease is to set the limb. The man is diseased and the only way to get rid of the hell that ensues is to git rid of the disease. Salvation, according to the moral influence theory is God's method of cure. It is a great hospital institution, and Jesus Christ comes to give us medicine. How does he do it? He comes into this world, lives a life of suffering and ignominy; enters into our position so as to know our situation; he knows our sorrows, and by his sympathy leads us to lead a life like His. Lifting us out of our sins He lifts us out of our sufferings. We go to Heaven, because we are holy. That is the theory that is endorsed by James Freeman Clarke; and we have said more than once, and long before to-day, that if that theory is true, there is no need of the deity of Christ. I am confirmed in that opinion when a representative Unitarian does adopt that theory as his explanation of the Gospel. That is Prof. Swing's theory, as he teaches it, or his book greatly misrepresents him. Thus in the sermon entitled "The Value of Yesterday," we read:

Heaven is a height to which men climb on the deeds of this life. Hence the Bible speaking of the dead coming to heaven, says: "Their works do follow them." Oh yes, these works make the soul; they weave its life out of their golden threads; they fill it with wisdom, and love, and humility, and then throw it forward to heaven as the south wind carries northward in spring the song of birds and the garlands of flowers. Hope is herself founded upon the past. It is a glorious past only that produces a serene, glorious hope. Yesterday is the foundation of the Heavenly City. Hope is the sweet blue sky in which the structure rises. Oh, friends, combine both hope and memory. Coming to the grave he only can look forward with joy who can sweetly look back.

Again in "Salvation and morality."

If Christ by His death wrought out a salvation for man, man's heart must be the prize bought with the sacred life and death. There is no salvation for a sinful soul except a pure life. Hence, if Christ effectually assists man to this pure soul, He is man's Saviour, and the pure soul is the salvation. If good works are the salvation, Christ is still the Saviour. Hence, salvation by good works and salvation by Jesus the Redeemer are so inseparably blended that any effort to separate, must result in an insult to the cross on the one hand, and to the Sermon on the Mount on the other. It cannot be that Christ would save a race in their sins, but from their sins, and hence, the flight from sin is always a flight to the bosom of God. This is therefore the essence and soul of Christianity, this upward flight.

If to us, lost in a wilderness, without a sun, nor a star, nor a path to guide, there comes a benevolent hermit, a dear Mentor, and leads us to the right path, and sets our faces homeward, he is at once our saviour; but no perfect salvation will come from our going that path. Our "going" and the Mentor combine in the escape, and yet he lives in memory as the kind saviour of our bewildered hearts.

Thus Christ may be the Saviour of mankind, and yet leave our morality as the final embodiment of His salvation. All the work of Christ contained in the word Calvary, or atonement, is only the objective part of the soul's rescue, whereas man's own personal righteousness is the subjective salvation, the thing for which the other exists. Good works are the explanation of Calvary.

Faith, indeed, will save a soul, but faith, then, is not rigidly a belief; it is more, it is

a friendship, for the word belief is often wholly omitted, and for whole pages the love for Christ reigns in its stead. In St. John the word "love" quite excludes the word "faith." Faith, therefore, being a devotion to a leader, a mere belief is nothing. A man is justified by his active affections, and not by his acquiescence in some principle. Thus faith, in the biblical sense, is not a simple belief, but a mystical union with Christ, such that the works of the Master are the joy of the disciple. Works, that is, results, —a new life—are the destiny of faith, the reason of its wonderful play of light upon the religious horizon. As man by his sin lost the image of God, so by faith, that is, by devotion to Christ, he is by cross, and by forgiveness, and by conversion, rewards of his love, carried back to the lost holiness. Faith is not a simple compliment to the Deity, for it is not God who needs human praise so much as it is man who needs virtue, and hence faith must be such a oneness with Christ as shall cast the spirit more and more each day toward that uprightness called "works," which man has lost, but which only God loves. Hence James truly says, a man is not justified by what he may believe, but by such a newness of inner life as may cast the soul into harmony with righteousness. Faith, as a belief and a friendship, is good so far as it bears the soul to this moral perfection. This perfection is the city to which faith is an open way, and the only highway and gate; therefore, by the final works or condition a man is justified.

Now, what is the doctrine of the Presbyterian church? It is the direct antithesis of all this. It is that justification is an act of God's free grace, wherein He freely pardoneth all our sins, and accepteth us as righteous in His sight, only for the righteousness of Christ imputed to us. Jesus Christ, according to our view, came into this world, lived and died, suffered an expiatory death, and rose from the dead. Being delivered for our offenses, He was raised for our justification. His active obedience is our obedience; and now we say the Lord is our righteousness. Mr. Moderator, that is your belief. I know it is, because I know you preached a sermon, and a splendid sermon it was, upon this text, "Our own righteousnesses are as filthy rags, and our iniquities like the winds, have carried us away;" and drawing a picture of our righteousness as filthy rags, you lifted your hearers up into the atmosphere of Jesus Christ, and bade them remember that the righteousness of Christ was hope. That is the doctrine of the Presbyterian Church.

Now, what is the *means* of justification? Justification is an act of God's free grace, wherein he freely pardoneth all our sins and accepteth us as righteous in his sight only for the righteousness of Christ imputed to us, and received by faith alone. What is faith? That depends entirely upon what the object faith is. Faith in a proposition is assent. Faith in a person is trust. Now, mark me. When Prof. Swing represents the theology of the Presbyterian Church as a naked assent to an intellectual proposition, as he did implicitly in his plea, and as he has done by implication more than once in his sermons, he simply gave us an illustration of history repeating herself; for, if I remember right, or have heard history read intelligently, the great controversy—or one of the points of the controversy in former Roman Catholic times —was that the Protestants were claimed by the Romanists as believing in salvation by a naked assent, and hence arose the distinction in Protestant Latin theology, between *assensus* and *fiducia*, and he who says that the Presbyterian Church believes in salvation to consist in a naked assent to a proposition does not read correctly the history of Presbyterianism, or he would know that *fiducia* sustains an important place in every recognized standard of reformation theology. We do not believe, nor do I know of any who do believe, that men are saved by a naked assent to a proposition. Faith, as it is taught in the standards of the Presbyterian Church, is not a naked assent, but it terminates upon a person, and that person is the Lord Jesus Christ. But, granted that we are justified by faith, that that is the means. What are we to understand by the relation which faith sustains to justification, and if you will bear with me a minute, we will see that though Prof. Swing uses the phrase "justification by faith," he means something altogether different from what you mean, Mr. Moderator, and you, my brethren of the Presbytery.

The Roman Catholic believes in justification by faith; what does he mean by it? Why, he has two meanings. He has two things which he calls justification by faith. There is in the first place his *assensus*—his naked assent to the proposition that the Church is infallible. That is "faith" with him. The exercise of that faith leads him to receive baptism, and the result of the Sacrament is the infusion of habits of grace which constitutes his first justification; and in that sense he says he is justified by faith, but he means by justification something else than

that, for he distinguishes between his *fides formata* and his *fides informis*. His *fides formata* is something more than a belief. It is what an Arminian would call evangelical obedience. It is "good works." It is "love;" and he says he is justified by faith. He means "good works;" and that is his second justification.

Now, how does the Arminian say we are Justified by Faith? He says we are Justified by Faith in this way; that justification means pardon, and faith means evangelical obedience, and evangelical obedience means a fulfillment of the law as far as God requires it of Christians; and fulfilling that law as far as is required of Christians, secures pardon.

And what is the moral influence theory of Justification by Faith? It is just this: faith is the impulse under which we go on to good deeds. If you do not have faith in physic you won't take it. If you do have faith in it you will. If you do not have faith in your cause you will not maintain it. If you do have faith in it, you will brave all opposition. If you have faith in Christ you will stand up for him. If you do not have faith in Christ you will not. If you have faith in Christianity, then you will live the life Christianity lays down. So, because faith is such a motive driving us in the direction of a good life, we are justified by it; that is to say, we are made holy by it; for Justification by Faith as understood by the advocates of the moral influence theory of the atonement means making holy, and faith is that which drives us in the direction of holiness. "Truths for To-Day," page 240.

Moral perfection being the final import of the word salvation, the faith that saves the soul will need to appear on the arena as a power that will cast its possessor forward toward this perfection. If by sin man fell, it will be necessary for a saving doctrine in order to merit such a name, that it shall possess some power to lead the heart back to virtue, and it should do this by some natural law, because a perpetual miracle may not be expected unless a constant force acting naturally is impossible. If the Creator works his will elsewhere by means of regular orders of sequence, and makes the rain and sun and soil throw upward all the grand flora of earth, if He makes the great central sun the fountain of heat and motion, so that all activity falls down from it in the great flood of light, so in the domain of religion it may well be expected that God will establish some faculty of the soul that will always push upward its moral leaves and bloom, or cherish it in its life-giving warmth. Religion impresses belief into its service, because belief is a permanent law of intellectual life. Faith is this perpetual natural force. It is not an arbitrary basis of salvation any more than sunlight and rain are an arbitrary basis of flowers. Faith in Christ is a rich soil of which righteousness is the gorgeous bloom.

Now Prof. Swing is not peculiar in that respect. Dr Bushnell believes the same thing. James Freeman Clarke believes the same thing, and I will find an endorsement of his theology from the Unitarians and the Universalists of this city, all of whom will speak of Justification by Faith; and they will not claim to be evangelical in the sense that we call ourselves evangelical, although they might dispute our right to arrogate the exclusive claim to that title. Now if Justification by Faith in the theology of Prof. Swing simply means that faith in Christ leads us to a holy life, then it is very easy to see how we can say that faith is a principle not peculiar to Christianity but common to everything; it is that which gives inspiration to every enterprise.

We can understand why it is that he put on record such a sentence as this: "If there is faith enough in Buddhism or Mohammedanism to save a soul, faith would be the law of salvation within those systems. It would be the intellect and the sentiment that would pass through those systems gathering up their ideas and extracting their passion; hence the Mohammedan has surpassed the Christian in putting to death the infidel. Faith comes into Christianity thus not by an exceptional decree of God but by the universal law of nature. The mind is so fashioned that its belief is always working out its salvation or destruction."

I will match that by a sentiment from James Freeman Clarke in the last book he has written, "Common Sense in Religion," page 349. "Thus we may say that salvation by faith is a universal law of the moral universe. It is no arbitrary enactment or dogma of Christianity alone, but it is based in the very nature of men. All moral and spiritual life comes from faith in things unseen. All real knowledge has its roots in faith, all moral power is born out of faith; all generous goodness and truth is rooted in faith. He who doubts is a lost soul; that is, he has lost his way. Jesus came to seek and save these lost souls by giving them some clear convictions by which to live and die,"

and so on, just exactly what Prof. Swing says.

Now what is the result of Justification? The effect of Justification as we understand it, is this—for we understand Justification by Faith simply to be an act of God pardoning a soul and counting it as if it was perfectly spotless and righteous, and on the ground of the imputed righteousness of Christ, the act of faith simply being the laying hold upon the righteousness of Christ, or as the old theologians expressed it: "The hand which grasps the gift." According to our view—the church view— of Justification by Faith, the effect of it is this: It is to give us personal assurance. We read that there is now no condemnation of those who are in Christ Jesus; who walk not after the flesh but after the spirit. We read that, having been justified by faith, we have peace with God through our Lord Jesus Christ. Now, sir, the Apostle, when he made these statements, did not mean us to say that we should pride ourselves upon our personal holiness; he did not mean there was no condemnation because we were good people, but he meant there was no condemnation because Jesus Christ was our righteousness. And another effect of justification by faith is, that we grow in holiness "*Fides sola quae justificat sed fides quae justificat non est sola,*" was the remark of Calvin. We do believe we are justified by faith alone, but we do not believe that the faith that justifies is ever by itself. And when Professor Swing by implication or by direct statement, intimates that the Presbyterian church, or any branch of it, supposes that they can be saved by faith alone, in such a sense that they can go to heaven without being holy, then he goes in the very face of the Confession of Faith; for, if the Apostle Paul taught anything, he taught that we go to heaven on the ground of the righteousness of Christ, and not on the ground of anything we do. And yet he taught also that we must be holy before we can see the Lord. And the only way in which these two statements can be reconciled is by adopting the Calvinistic system; and the Calvinistic system is just this: That God Almighty in the exercise of His own will, and in the plenitude of His own grace, chose a people who should be vessels of mercy. He chose to save them by sending Jesus Christ to die for them. He chose to save them by the counting of Christ's righteousness as their righteousness. He chose to save them on the ground of their faith in Christ; He chose to save them by giving them the faith in Jesus Christ; He chose to save them by not only giving them the faith, which is simply the result of regeneration, but having begun the good work in them, he chose to carry it on to the day of Jesus Christ. Whom He predestinates, them He also calls; and whom He calls, them He also justifies; and whom He justifies, them He also glorifies. He has predestinated us to be conformed into the image of His son, that He might be the first-born among many brethren.

Professor Swing does not believe that Gospel and that is the Gospel as the Presbyterian church understands it.

Mr. Moderator, I have taxed the patience of this Presbytery so long, that only the importance of the case, and my own present inability to go further, prompts me to ask for an adjournment at this point, if there is no further business before us, in order that I may finish to-morrow morning.

The Presbytery, after prayer, then adjourned until 9:30 o'clock a. m., May 14th, 1874.

THURSDAY, MAY 14, 1874.

The Presbytery met pursuant to adjournment, at 9:30 A. M.

After prayer, and the formal business of the morning, the argument of the prosecutor was resumed.

ARGUMENT OF THE PROSECUTOR.

(*Concluded.*)

Mr. Moderator and Brethren: I call your attention this morning, to the thirteenth specification, which reads as follows:

In a sermon printed on or about the 15th of September, 1872, from II Peter iii. 9, he made use of loose and unguarded language, respecting the providence of God.

In support of that allegation I will read an abstract of that sermon, as it is reported in the *Chicago Times*, 16th of September, 1872. The text is:

The Lord is not willing that any should perish, but that all should come to repentance. II. Peter, 3, 9.

It was only when a child had been reared in purity that it appreciated its shortcomings. Coal miners were not sensitive to smut and dust, so mankind, degraded by a hopeless philosophy, would care little for an accession of actual sin. The text could not be understood unless some of the better words of the past were retracted, and men were taught to feel that they possessed a

divine greatness, and a will-power, and a soul that are all very grand and beautiful. The relation of God to man is like that of a parent to grown-up children. Man was a world in himself. He was not a machine, but a free, moving soul. The ideal defender of God was wrong. Under it man had nothing to do. He was borne along by a resistless fate. The text invited men to think of God as a great permission, and great kind father of adult children. He had put aside absolution and became merely a wish.

To depreciate man and make God a tyrant were the two great mistakes of the past. The two better truths were that man was clothed with sublime power, and God was a broad permission, a giver of liberty. And yet, it seems a popular impression that God was always lying in wait to thwart the plans of His children. * * * God was not a destroyer but an advancing creator, always adding to His empire. His watchword was not annihilation but addition. Development was visible in nations and in man, and this should lead to the cheering thought that God does not wish that man should perish, but rather that he should pass onward and upward. The desolations of earth were not God's absolute decree; the ruined cities, from Thebes to Rome, lay there by man's request. * * * But God was no more the author of the Persian or Jewish famines than He was the author of the English palaces or the Paris fashions. The responsibility was with man. Instead of being a poor worm crawling through the dust, without sight or sense or force, he was an angel of such gigantic power that God called him His son, and conferred the presence of His image. * * * God a tyrant and man a worm were the twin calamities of religious thought. To be successful we must believe equally in God and man. God, no doubt, loved human success. The uprising of your city from last autumn's ashes, in grandeur and magnificence unrivaled, should be proof positive that God was not in that conflagration as a vengeance. Man was in it as an ignorance, a neglect, a folly, for the light assured them that God was not willing that any should perish.

I will read the Confession of Faith on the subject of Providence, and then leave the sermon in the hands of the court without comment.

God, the great creator of all things, doth uphold, direct, dispose and govern all creatures, actions and things, from the greatest even to the least, by His most wise and holy providence, according to his infallible foreknowledge, and the free and immutable counsel of His own will, to the praise of the glory of His wisdom, power, justice, goodness and mercy.

II. Although, in relation to the foreknowledge and decree of God, the first cause, all things came to pass immutably and infallibly, yet by the same Providence He ordereth them to fall out according to the nature of second causes, either necessarily, freely or contingently.

Professor Swing intimated in his declaration that the Confession of Faith squinted towards fatalism. Does that?

God in His ordinary providence maketh use of means, yet is free to work without, above and against them, at His pleasure.

IV. The Almighty power, unsearchable wisdom and infinite goodness of God, so far manifest themselves in His providence that it extendeth itself even to the first fall, and all other sins of angels and men, and that not by a bare permission.

Professor Swing defines God to be a permission.

But such as hath joined with it a most wise and powerful bounding, and otherwise ordering and governing of them, in a manifold dispensation, to His own holy ends, yet so as the sinfulness thereof proceedeth only from the creature, and not from God; who, being most holy and righteous, neither is nor can be the author or approver of sin.

V. The most wise, righteous and gracious God, doth oftentimes leave for a season his own children to manifold temptations and the corruption of their own hearts, to chastise them for their former sins, or to discover unto them the hidden strength of corruption and deceitfulness of their own hearts, that they may be humbled; and to raise them to a more close and constant dependence for their support upon himself, and to make them more watchful against all future occasions of sin, and for sundry other just and holy ends.

VI. As for those wicked and ungodly men whom God, as a righteous judge, for former sins doth blind and harden; from them he not only withholdeth his grace, whereby they might have been enlightened in their understandings, and wrought upon in their hearts; but sometimes also withdraweth the gifts which they had; and exposeth them to such objects as their corruption makes occasion of sin; and withal, gives them over to their own lusts, the temptations of the world, and the power of Satan; whereby it comes to pass that they harden themselves, under those means which God useth for the softening of others.

VII. As the providence of God doth, in general, reach to all creatures; so, after a most special manner, it taketh care of his church, and disposeth all things to the good thereof.

Now, the question which I address to the Court is simply this: Understanding that this passage from the Confession of Faith—this chapter which I have read—is the Confession of Faith of the Presbyterian Church, I ask you whether Prof. Swing has or has not used loose and unguarded language in reference to Divine Providence when he

preached the sermon, an abstract of which I have read?

In many of the specifications on which I have commented, the charge has not been that he believes error, but that he teaches error. I have taken those passages, and, as far as practicable, have presented the context. All the sermons from which quotations have been made are in evidence and are accessible to the members of the Court. They can see whether I have done injustice in quotations I have made, and it will be the privilege of the defense, if such injustice has been done, to make it apparent. It was simply impossible that I could read all the sermons through in order that I might justify my use of one or two sentences by way of comment. Now it might be argued, and perhaps the opinion has been expressed before this, that the utterances of error or of sentences, alleged to be error, is a very different thing from the direct affirmation of his disbelief of certain doctrines. Now the point which we are arguing in this charge is not that Prof. Swing does not believe this doctrine. We shall have something to say on that subject under the second charge. But if he *does* believe the truth and teaches error, so much the worse. If you can prove that a man is incompetent—that he is ignorant of the system of drugs—that might be a reason for his not administering drugs; but be he ever so well educated and ever so familiar with the Pharmacopœia, if you can prove as a matter of fact that he administers poison, then, I do not care how well he is educated, I am not going to that shop.

Now, sir, the question at this point is not what Prof. Swing *believes*, but what does he *say?* For it is as a teacher that we are making charges just now against him. Nor it is necessary that language used by Prof. Swing shall be proven to be contrary to the Confession of Faith, or to be incapable of a construction favorable to sound doctrine, for this Presbytery to make it a subject of judicial action; because granting that in certain expressions used, it is possible that a favorable construction can be put upon them; if the natural meaning of the language and the natural construction which the human mind would put upon it be one which is unfavorable to sound doctrine and to vital piety, then it is the duty of this court to tell Prof. Swing so—to express its disapproval, and to express its disapproval in terms measured by the offense. Now, to show that I am correct in this position, and that I have the precedents of the Presbyterian Church upon my side, let me quote from the Digest. This time I shall quote from the New School Digest—the deliverences of the General Assembly on the subject of doctrine. In the year 1763 there was a decision in the case of Mr. Harker. The Synod proceed to consider Mr. Harker's principles, collected from his book by the committee, which are in substance as follows:

1. That the covenant of grace is in such a sense conditional, that fallen mankind in their unregenerate state, by the general assistance given to all under the Gospel, have a sufficient ability to fulfill the conditions thereof, and so, by their own endeavors, to insure to themselves regenerating grace and all saving blessings.

2. That God has bound himself by promise to give them regenerating grace, upon their fulfilling what he (Mr. Harker) calls the direct conditions of obtaining it; and, upon the whole, makes a certain and an infallible connection between their endeavors and the aforesaid blessings.

3. That God's prescience of future events is previous to, and not dependant on His decrees; that His decrees have no influence on His own conduct, and that the foresight of faith was the ground of the decree of election.

Now, what does the General Assembly say?

It is further observed, that he often uses inaccurate, unintelligible and dangerous modes of expression.

That is a parallel case.

That tend to lead people into false notions in several important matters, as that Adam was the federal father of his posterity in the second covenant as well as in the first; that the regenerate are not in a state of probation for heaven, and several such like.

The synod judge that these principles are of a hurtful and dangerous tendency, giving a false view of the covenant of grace, perverting it into a new-modelled covenant of works, and misrepresent the doctrine of the divine decrees, as held by the best Reformed Churches and in fine, are contrary to the word of God, and our approved standards of doctrine.

Then in 1778 there was a decision in the case of Rev. Hezekiah Balch, a part of which I will quote, page 301 of the Digest.

In regard to the subject of false doctrine, in discoursing from Psalm LI, 5, and Isa XLVIII, 8, nothing seems necessary to be added to the remarks made on the subject of original sin, as contained in Mr. Balch's creed, except that he charges Calvinistic

Divines with holding sentiments relative to infants which they do not hold.

Now that seems to be a parallel case.

And that he makes positive declarations in regard to the state of infants, when it has pleased a wise and holy God to be silent on this subject in the revelation of his will. * *

On the whole your committee recommend that Mr. Balch be required to acknowledge before the assembly that he was wrong in the publication of his creed; that in the particulars specified above, he renounce the errors pointed out; that he engage to teach nothing hereafter of a similar nature; that the moderator admonish him of the divisions, disorder, trouble, and inconvenience which he has occasioned to the church and its judicatories by his imprudent and unwarrantable conduct, and warn him against doing anything in time to come that may tend to produce such serious and lamentable evils.

That was a long time ago. Then in the year 1810—still nearer to our own time—came the case of the Rev. William C. Davis. The attention of the Assembly was called to certain doctrines which he had proclaimed. Page 302 of the Digest.

Doctrine I.—That the active obedience of Christ constitutes no part of that righteousness by which a sinner is justified.

Doctrine II.—That obedience to the moral law, was not required as the condition of the covenant of works. Page 178, 180—and so on, and then *Resolved*, That without deciding on the question whether these sentiments are contrary to our Confession of Faith, the Assembly consider the mode in which they are expressed as unhappy, and calculated to mislead the reader.

So it seems that the General Assembly goes so far as to exercise its Episcopal functions to the extent of telling a man that he must not be *unhappy* in his expressions.

I quote further, page 303.

Resolved, That the Assembly consider the expressions in the pages referred to as very unguarded; and so far as they intimate it to be the author's opinion, that a person may live in an habitual and allowed sin, and yet be a Christian, the Assembly considers them contrary to the letter and spirit of the Confession of Faith of our church, and in their tendency highly dangerous.

Resolved, That the Assembly do consider this last-mentioned doctrine contrary to the the Confession of Faith of our church.

In several other instances there are doctrines asserted and advocated, as has been already decided, contrary to the Confession of Faith of our church, and the word of God; which doctrines the Assembly feel constrained to pronounce to be of very dangerous tendency; and the Assembly do judge, and do hereby declare, that the preaching or publishing of them, ought to subject the person or persons so doing to be dealt with by their respective Presbyteries, according to the discipline of the church, relative to the propagation of errors.

This was a decision in reference to a book which had been published by Mr. Davis, in which certain objectionable passages were found; and this is the Assembly's decision upon the *book*, not upon the *man*.

Then came the case of the Rev. Mr. Craighead, about which we shall read and of which the papers have already advised us. The particular point in the Craighead case I shall allude to presently, but I wish to say here that, while the General Assembly acquitted Mr. Craighead of the charge of heresy, and for reasons which I shall adduce and which I shall show are not relevant to the case in hand, they nevertheless did go so far as to say this: (page 305.)

They appear to have thought that a denial of *immediate agency* was a denial of all *real* agency. It deserves special regard here, that our Confession takes no notice of these nice distinctions about the mode in which the Holy Ghost operates. It usually mentions the Word and the Spirit together, and the former as the instrument of the latter. And they who believe in the immediate agency of the Spirit do not exclude the instrumentality of the Word; they, however, explain it in a different way from those who hold that there is no agency of the Spirit distinct from the Word.

That is to say, in this particular case—the Craighead case—the language was so used as that it could be construed in a sense favorable to the writer, and being capable of that favorable construction, the Assembly decided that the charge of heresy was not sustained. The decision, however, goes on to say:

But this is the more favorable construction; there is another, which if not more probable is more obvious. Mr. Craighead may be understood as teaching that the only real agency of the Spirit was in inspiring the Scriptures, and confirming them by signs and miracles. There is much in his discourse that has this bearing; and undoubtedly this is the common impression among the people where it is best known.

For it seems the Assembly took some notice of that—common rumor.

This was the idea of the Synod of Kentucky, when they condemned him; and this is, in fact, denying the reality of the operation of the Spirit in our days; and whether his expressions have been fairly interpreted or not, they are dangerous and ought to be condemned. In justice to Mr. Craighead, however, it ought to be remembered that he utterly disclaims this meaning, in his defense

sent up to this Assembly. And would it be fair to continue to charge upon him opinions which he solemnly disavows? Of the sincerity of his disavowal God is the judge. The conclusion is that, the first charge, though supported by strong probabilities, is not so conclusively established as to remove all doubt, because the words adduced in proof will bear a different construction from that put on them by the Presbytery and Synod.

Now, what is the point? Mr. Craighead was charged with heresy; he was acquitted of the charge of heresy on the ground that the language used by him was capable of a favorable construction, and on the further ground that being capable of that more favorable construction, he solemnly disavowed the charge alleged against him; yet nevertheless in the face of the fact that his language was capable of this favorable construction, and in face of the further fact that he absolutely and in an unqualified way, disavowed the alleged heresy, the Assembly did pronounce his statements as dangerous, and affirmed that they ought to be condemned. Now, Mr. Moderator, if we are to allow ecclesiastical precedent to have any weight with us, then, even though it were shown that the language of Prof. Swing is capable of a favorable construction, and even in the event of a most explicit disavowal on his part of every item of heresy charged to his account, yet it will be the duty of this Presbytery to express its solemn disapproval of the language which has caused such a wide-spread mistrust of his theological position.

The opinions which I have offered respecting Prof. Swing's theology are the result of very careful study of his discourses. It is in view of the fact that I have made those sermons a matter of careful study, and of the further fact that the doctrinal issues involved are of such importance, that I feel justified in speaking at what may appear to be even a wearisome length on subjects which we are all familiar with.

I left off yesterday with the specification relating to Prof. Swing's views on the doctrine of Justification by Faith. His position on that doctrine is not a matter of question. If the court will have the goodness to read his sermon on "Good Works," and also his sermon on "Faith," I think we shall be of a unanimous opinion that the views of Prof. Swing upon this cardinal doctrine of Protestantism are not the views of the Presbyterian Church. I object to the views of Prof. Swing. The objections are grave. The view of Prof. Swing on the subject of salvation is, that "he only can look forward with joy who can sweetly look back;" that "heaven is a height to which men climb on the deeds of this life;" and if I were called to preach such a Gospel, if I were commissioned to preach Jesus Christ in such terminology, I should be saddened. It would be impossible for me to go to a dying man and tell him that if he believed in the Lord Jesus Christ he should be saved. It would be impossible for me to go, as my brother McLeod has had to go, to the prisoner, expecting daily to pay the penalty of his crime, and tell him that in the last hour of his life, if he believed in the Lord Jesus Christ he would receive mercy at the hands of Him who said to one who was His companion in suffering, "This day thou shalt be with me in Paradise." I object to the views of Professor Swing because they do injustice to the righteousness of our Lord Jesus Christ. Mr. Moderator, the gospel which we preach, is the gospel of the righteousness of Christ. It is the gospel which has lent inspiration to every movement whereby the cause of Christ has been furthered. It is the gospel of Charles Hodge; of Albert Barnes; of Charles Spurgeon. It is the gospel of the missionary and the evangelist. It is the gospel of Moody, and Sankey. It is the gospel of the Sunday School, and it is the gospel of every child in the Sunday who lifts his voice to sing the "old, old story of Jesus and his love."

Now, I will read a passage from a Scotch letter in reference to the recent revival in Edinburgh, and which has only just now been put in my hands.

As you know, Messrs. Moody and Sankey are there, both working and singing. Probably the Lord is blessing their work, and making them greatly useful; but to us they seem merely as sickles passing through the well-ripened fields of grain, white months ago to the harvest. We had ample opportunity during four months' stay in Edinburgh to learn the religious feelings and positions of the people. It is a city exalted as to heaven in point of privilege. Its religious and moral life is a glorious vindication of the excellence of doctrinal preaching. The Edinburgh ministers are not afraid to preach doctrine, and what is called "hard doctrine." They have not failed to declare the whole counsel of God; the trumpet tones of Knox echo in these pulpits still. There is no courting people to church with sensational subjects; no offering of sugar plum preaching; very little florid rhetoric; no last new opera singer and expensive choir. None of these—merely

the truth in Christ Jesus. And what is the result? On Sunday in Edinburgh, the streets at service hour, three times a day, are crowded as our streets on the Fourth of July The last stroke of the bell, and the streets are as deserted as midnight. These mighty throngs have gone into the house of David, to hear "sound doctrine." Edinburgh has been deficient in Sabbath Schools, but year after year the church has swelled its numbers from the children of its families, who are always taken to church for the pastor's instruction, and are taught at home by their parents.

I object to the preaching of Prof. Swing, because he preaches a doctrine which leads either to self-righteousness or to dispair. He teaches that we are saved by our own works. He teaches us that faith saves us because it leads to a holy life. He teaches that salvation means a holy life, therefore, he who is expectant of salvation and has assurance of hope in Heaven, is he who is holy, and he hopes for Heaven, according to Prof. Swing's preaching, or the legitimate consequences of that preaching, in the ratio of his personal holiness. Now, that is not the doctrine that we learn in the Epistle to the Romans. "Where is boasting then? It is excluded. By what law? Of works? Nay; but by the law of faith." If we cannot take comfort in our personal holiness, if a man is so constituted that he cannot feel that his own righteousness is enough to save him, and that what he has done himself is not sufficient to give him hope of Heaven, then the only thing he can do is to fall down in despair; for the religion of Prof. Swing does not offer a man any hope but that; and so far from the Presbyterian church teaching the doctrines of despair, I say that the teaching of Prof. Swing is the doctrine of despair, unless it is the doctrine of self-righteousness. And I object to the teaching of Prof. Swing upon the subject of Justification by Faith, and upon the subject of Salvation on the ground that he makes Christianity simply an exalted morality. The reason why Christianity is better than Hindooism, is because the morality of Christianity is better; the reason Christ is a better Saviour than Confucius is because he is a better man than Confucius; the reason why Christ is a better Saviour than Socrates is because he had a wider range than Socrates, and was a better man than Socrates, and a greater teacher than Socrates, and therefore has more right than Socrates to be called the mediator between God and man. He is the *best* Saviour that the world has ever seen.

I pass now to the closing specifications of the first charge.

Mr. Moderator these specifications have a historical interest as related to the prosecution. The history of this specification is the history of the relation which Prof. Swing and myself sustain to each other. Little did I think, when I wrote the editorial of last fall, that it would culminate in a scene like this. When I took charge of the *Interior* I knew of the doubts which had been expressed with respect to Prof. Swing's theology. I had seen the newspapers of other churches calling in question his opinions on the subject of inspiration, and entering their protests against the Presbytery of Chicago, for sitting in silence while one of its prominent members gave utterance to thoughts which were in direct violation of the Confession of of Faith, and which tended to overthrow the authority and integrity of God's Holy Word. It was with a great deal of diffidence and after much reluctance that I entered upon a review of his sermons; and those who have followed that discussion, or who remember anything about the editorial, will remember something about the spirit in which it was written, and the language in which it was couched. If I know my own heart, I know that I wrote it in the kindest spirit. I wrote it in an apologetic fashion, and if anything was said in it which was calculated to injure Prof. Swing's feelings I was sorry for it, and here make that public acknowledgment. I wrote that editorial with the idea of apologizing for the views of Prof. Swing so far as I could—so far as it was possible to show that the interpretations which had been put upon his language were perhaps exaggerations; and so with the best intent, the most charitable spirit, the kindest feeling, and with the utmost desire to vindicate the reputation of a Christian brother whose hand at that time I had not grasped, and whose face I had not seen more than once or twice—I was constrained as an exponent of religious opinion (so far as I was an exponent) in a newspaper—I was constrained to say something by way of protest against a sentiment which, if it expressed his honest opinion, did, in my judgment, carry with it the downfall of God's Bible. And, sir, I was hoping that when he replied, if he replied at all to that editorial, he would have

something to say by way of explanation, that the explanation would be couched in such frank and straight forward terms as that it would silence doubt, and reinstate him in the confidence of those who loved him, but who nevertheless, did feel that, occupying the position he did occupy, it was not right for him to challenge the authority of any portion of the inspired word of God.

You know something of the history of that controversy. I shall not go into the details. I was disappointed. So far from the explanation meeting my views of what was due—and I say *my* views in all modesty; for John Henry Newman in his great book, "The Grammar of Assent," makes a remark which I take home to myself sometimes, when he says there are occasions when "egotism is true modesty." Well, I say that Prof. Swing did not meet what I regarded as the true demands of the case, and, inasmuch as I had the sole responsibility of the journal upon my hands, I could not avoid a discussion which was thus forced upon me. If I made mistakes in that discussion, I am free to say here, with the frankness which characterized one of the witnesses upon the stand, that "it is human to err." But I did desire—God is my witness—to conduct that discussion in a way which was creditable to my position as a gentleman and to my position as a member of the Presbyterian church, and a co-presbyter of Prof. Swing. How far I have carried out my desire and how far the result has accorded with my wish I leave for the public to say; and I will bow respectfully to their verdict.

Now, Mr. Moderator, and brother Presbyters—the views brought out by Prof. Swing in the course of that controversy were of such a character, were so pronounced in their hostility to what I regard as the doctrine of plenary inspiration—a doctrine, sir, which, if it needed it, has received the sanction of this body not long ago in a paper prepared by one of the most venerable and one of the most respected members of this body—I say the views of Prof. Swing were in such utter conflict with that doctrine that I did not hesitate to say on one occasion that I thought that, holding such views, a minister with the vows of the Presbyterian church upon him could not consistently remain in her communion as a minister.

Those among you who have watched that controversy know how it advanced and you can easily imagine how one thing should lead on to another thing until, in a final editorial upon the subject, with no malice in my heart, and with no other desire in my soul, than that of eliciting from Prof. Swing such an expression of his views as should satisfy those who stood in doubt—for I knew I was not alone in standing in doubt—I knew, sir, that there were members in this Presbytery who had expressed doubt, and who would express it to-day if they were to testify—I did say that there were those who doubted, and I was among them, whether Prof. Swing believed even that Christ was God—and other doctrines which just now I do not recall. They were honest doubts; they were doubts based upon an honest perusal of his public writings; and, in connection with the expression of those doubts, I said I hoped that Prof. Swing's published utterances had done him great injustice; and I offered to place the columns of the *Interior* at his disposal, in order that he might rectify any mistake that I may have made, or correct any false impressions which I may have produced. If that was not what a manly and Christian spirit would dictate, then, sir, I am at fault and have grossly misapprehended the laws of Christian courtesy and the laws of dignified Christian journalism. I have no word to say in self-vindication—nothing to say in reference to those who honestly and sincerely differ with me as to the propriety of my expressing the doubts; but I *did* have them, and I *did* express them; and the expression of them has brought upon me a weight of odium which I did not anticipate. Now, Mr. Moderator, the prosecution of this case, I regret to say, has not removed those doubts—has not lessened those doubts—has only served to vindicate me in my own eyes as to the justice of my former position; and I am not only ready to say now that I doubt as to Professor Swing's position, but I am ready to say that, with respect to some of the doctrines indicated in that paragraph, I *do not believe* that he holds them.

Now, I want to call your attention to the question that is raised in the twenty-third specification. In the sermon entitled "Old Testament Inspiration," the following passage occurs:

These thoughts bring me now to the structure of the Psalms of David. Many of them being deeply religious, and suitable to all religious hearts, everywhere, there are others that belonged only to the days when

they were sung. If it was permitted the Israelites to destroy their enemies and thus establish the better their Monotheism, it was necessary that they should sing battle-songs, and that much of their hymnology should be military. In the days of an American struggle with England the song of the "Star-Spangled Banner" might be useful and truthful. It might impel men along the best path of the period. In France, a few years ago, the "Marseillaise" was rising with power, for it was necessary for the people to check the reckless ambition of Louis Napoleon. These hymns might be confessed to possess a temporary inspiration.

These hymns—"The Star-Spangled Banner," and others—might be considered to possess a temporary inspiration!

That is, their good is unmistakable. But let the world and civilization advance, let war become a crime and a barbarism, let peace become not only an article of religion but a policy of all nations, let all disputes be settled by arbitration and payment of damages, and in that golden age the war songs of America and France become a poor dead letter, and no heart remain so warlike as to sing them.

Thus, with such psalms as the 109th. They had a temporary significance, depending altogether upon the kind of work the Hebrews had to perform. If it was necessary for them to go to battle it was desirable they should have a battle-song, a Marseillaise. If their hands must do bloody work they are entitled to sing a terrific psalm. But the moment the Hebrew method of life passed away, the moment their war for national existence ceased, that moment the 109th psalm lost its value. For if the bloody Hebrew war is over, so is its battle-song. There is no logic in perpetuating a war-cry after the war itself has passed away.

Now, what do we believe about inspiration? There are a great many people who tell you that they believe in the inspiration of the Bible, but they tell you, too, that they believe in the inspiration of John Milton; they tell you that they believe in the inspiration of Dante and of Virgil. If that is inspiration, then, a fig for the inspiration of the Scripture! So that when a man tells you he believes in the inspiration of the Scriptures, he might just as well tell you he believes in twenty-four letters of the alphabet; it does not mean anything more to me, because I know very well that one of the greatest deceptions of modern times is just this Talleyrand system of using language—language which seems to carry with it the sign manual of Jesus Christ, but which is used in the interests of infidelity. There is not a doctrine in the Confession of Faith which rationalists in Europe will not subscribe to if you will let them have their own mode of explaining it afterwards.

Now, then, the question is not whether Prof. Swing believes in the inspiration of the Scriptures. I will find a man who will believe in the inspiration of the Scriptures wherever I can find a man who believes that Job had a poetic nature or Isaiah and the Apostle John. But the question is what does Prof. Swing *mean* by the inspiration of the Scriptures? He comes here and tells you in his declaration that this doctrine of the inspiration of the Scriptures is one of those on which he is willing to meet the skeptical and sinful world. Why, I wish to know if there is a Unitarian here, or a Universalist here, or a man who appreciates the poetry of Shakspeare here, who would not say the same thing? Now, he said he used the word in its evangelical sense—and I still am as much in a fog as ever; for what does he mean by *evangelical?* How much easier and simpler it would have been for him to say: I believe the doctrines of the Confession of Faith as to the inspiration of the Scriptures, as to the divinity of Christ, as to the Trinity, as to justification by faith, and as to future punishment, and I believe them *ex animo?* Has he done that?

Now, in the absence of any interpretation, or any explicit avowal on his part as to what he means by the inspiration of the Scriptures, will you think it unjust if I undertake to impose upon his language a meaning, finding the material for doing so in his own published words?

During all the discussion which I had with Prof. Swing in the *Interior*, I tried to get from him an expression of opinion as to what inspiration is. Again and again I asked what he meant by *inspiration*. I asked whether he did believe that God did write the Bible—that the Scriptures are inspired in such a sense that God did by His Holy Spirit teach the writers of the New Testament, and of the Old, and that he stood in such relation to the Bible that holy men of old spake as they were moved by the Holy Ghost, so that what God says Peter says, and what Peter says God says. That is what the Presbyterian Church believes. That is what evangelical Christendom believes. In the vindication of God's truth, in the question respecting the plenary inspiration and the infallible authority of God's Word, as it is declared in

the Old and in the New Testament, I appeal not to the sympathies and support of the Presbyterian Church alone, but to the sympathies and the support of evangelical Christendom.

Now, what does Professor Swing mean by inspiration? What does he mean when he says that the Scriptures are given by inspiration of God? Does he believe that the One Hundred and Ninth Psalm was written by the Holy Ghost in such a sense as that what David said the third person of the blessed and adorable Trinity said? Does he believe that the sentiments expressed by David in the One Hundred and Ninth Psalm were sentiments put into his mind by the Holy Ghost, so that you may be at liberty not only to say, *David* said this, but with equal propriety to say that the *Holy Ghost* said so? Does he believe that? Then if he *does* believe it, it is a very singular thing that he should speak of it as having a "temporary significance;" that he should compare it with the Star Spangled Banner, and say that it had a "temporary inspiration," and lost its value when the wars of the Jews were over. It is a very singular thing, if that is the truth, that this Psalm found its place in the inspired liturgy of God's church, and has come down to us without any word from the Lord Jesus Christ by way of protest against its continued use, or against its further value to us. It is a very singular thing, if Professor Swing has put a right interpretation upon the One Hundred and Ninth Psalm, that the inspired author of the Acts of the Apostles should refer to this very Psalm as being a prophecy of the betraying act of Judas and should say in words like these: (Acts i, xvi—xx.)

Men and brethren, this Scripture must needs be fulfilled, which the Holy Ghost by the mouth of David spake before, concerning Judas, which was guide to them that took Jesus. For he was numbered with us, and had obtained part of this ministry. Now this man purchased a field with the reward of iniquity; and falling headlong he burst asunder in the midst, and all his bowels gushed out. And it was known unto all the dwellers at Jerusalem; insomuch as that field is called in their proper tongue, Aceldama, that is to say the field of blood. For it is written in the book of Psalms, Let his habitation be desolate, and let no man dwell therein; and his bishopric let another take.

If God Almighty, speaking through the writer of the Acts of the Apostles, saw fit to use the imprecatory Psalms in reference to Judas, I think it is not modest for us, the humble followers of Jesus Christ, to undertake to say how much value the One Hundred and Ninth Psalm has. And that Professor Swing does not believe that the One Hundred and Ninth Psalm is the inspired word of God is perfectly plain to any one who is unprejudiced and unbiased,—and by this I mean to impute nothing to anyone, but will read what he says in the *Interior* for September 18, 1873. These are his words:

The prominence given to the One Hundred and Ninth Psalm in my remarks, arises only from the fact that it has long been a public test of the value of any given theory of inspiration.

Now, what does that mean? What *can* it mean? Why, it just means this, and it cannot mean anything else. "You believe in the plenary inspiration of the Scriptures, do you? Do you believe the One Hundred and Ninth Psalm is inspired?" "That's a puzzle." "Answer that question." "*It has long been the test of the value of any given theory of inspiration.*" Did it ever bother you, brethren? If you believe in the plenary inspiration of the Scriptures, can you not take God's authority even for the One Hundred and Ninth Psalm? Is your faith in God so weak that because the One Hundred and Ninth Psalm contains some imprecations, which we know referred to Judas—and he deserved them all—we cannot take His authority?

Now let me read on:

That is one of the places at which the rational world asks us to pause and apply our abundant and boastful words.

Now, *what* boastful words? There is nothing boastful, certainly, in saying "Because God says a thing is so it is so." God says "*all* scripture is given by inspiration of God." Now, I think it is humility to say a thing is so because God says so. That is enough for me. We say, inasmuch as Jesus Christ gave His authority and sanction to the Old Testament in words which distinctly affirm that not a jot or tittle can pass away; that having satisfied ourselves of the authority of Jesus Christ, the authority of Jesus Christ covers everything to which He attaches His signature. There is nothing boastful in that. We say that inasmuch as the Apostle Paul bases his reasoning upon minute portions of the Bible, and the Apostle Paul being an ambassador of Christ, and a chosen vessel to the Gentiles, knew what he was about, and knowing what he was about, could not have

based any such argument upon any such portion of the Scriptures unless the whole of the Scriptures were infallible; or else the people might turn around and say, Paul, how do you know that that part you are quoting from is inspired? But Paul says, *all* Scripture is given by inspiration of God, and profitable for doctrine, reproof, etc. He anticipates the question by saying that as everything is inspired, this particular part is of course inspired. That is not boastful; that is simply taking God, Jesus Christ God manifest in the flesh, and the Apostle Paul, God's inspired servant, as authority on these questions. These are not boastful words.

But does Professor Swing believe that the Scriptures of the Old and New Testament are inspired in such a sense that they are infallible—in such a sense that when you take up the Twenty-third Psalm, you can say that is God's Word—in such a sense that when you take up the Book and open it at any point, you can say that is God's Word—not because you can verify it in your experience, nor because there is anything in it intrinsically which would suggest to your mind that it is not a human production; but because you have settled the antecedent question that *all* Scripture is given by inspiration of God. Does he believe that? Does he? If he does believe it—if that is his creed, then sir, of all the curiosities of literature in the history of this world there never was a greater one for inconsistency than this which I am going to read:

That is one of the places at which the rational world asks us to pause and apply our abundant and boastful words.

You know who Froude is. He is not a Presbyterian, and he is not a Calvinist, and he is not an evangelical Christian; he is a rationalist. His creed is reduced to such small dimensions that it would not take long to count its articles, and a very small book would make his Confession of Faith. Now, he quotes Froude with evident approval; he has not a word of protest to say against him, and allows this to go out over his own name in a religious newspaper, which goes to twelve or thirteen thousand families—he being in a high position in the Presbyterian church. Now, what I ask you is, what would be the inference drawn by these thirteen or fourteen thousand readers to which this article went? Would they gather from it that Professor Swing believes in the inspiration of the Scriptures, as that inspiration has been defined in our Standards, and as it has been still further and more recently ratified by your Presbytery. What does he say?

Most of the young men, even in the Presbyterian Church, know what the historian Froude said of this psalm a few years since. "Those who accept the 109th psalm as the word of God, are already far on their way toward *auto-da-fes* and *massacres of St. Bartholomew*," and while they may for a time, reject these words, they will soon demand a theory of inspiration very different from the indefinite admiration of the past.

And this Presbytery is called upon to decide whether such a statement as that can be regarded in a light favorable to his belief in the plenary inspiration of the Scriptures!

Why, sir, if this thing shall go into history—if this thing shall become known—that we are actually standing in doubt as to Prof. Swing's position upon the 109th psalm, we shall have to get some new canons of evidence, certainly, or at all events, if we do not we shall have to get the intelligence of the nations to legislate upon the question of construction, for if that does not mean, and is not calculated to mean, that Prof. Swing endorses the sentiment which he here quotes, it does not mean anything; and I will give up reading English, and pronounce myself a fool.

Now, Mr. Moderator, you can put this down as a settled fact, that as long as these words stand unretracted in history they stamp Prof. Swing as denying the plenary inspiration of the Scriptures, and it would be one of the greatest acts of inconsistency ever perpetrated—with all respect, Mr. Moderator, to this Presbytery—it would be one of the greatest acts of inconsistency ever known, if this Presbytery, after having pronounced its verdict upon plenary inspiration, and after having accepted the report of its committee in reference to a sermon preached by Dr. McKaig, and after having taken summary action in reference to the matter—remanding him to his Presbytery as a suitable subject of discipline, and recommending his congregation to dismiss him; if, after doing that they should decide to acquit Prof. Swing. The inspiration of the Scriptures is valuable as a doctrine because it guarantees the *infallibility* of the Scriptures. Now, if a man should profess to believe in the inspiration of the Scriptures and deny that which gives value to the inspiration of the Scriptures,

why, then, I do not think that he would mend matters much. The reason why I want to believe in the inspiration of the Scriptures is this: Not for the mere sake of the literary information that those scriptures were written by God—but simply because, having cut loose from the Church of Rome, and having no possible authority to which I can appeal on matters of faith, and having no confidence in any subjective standard of truth and righteousness, and feeling that this world is too serious a thing for me to go through it without having something to which I can appeal, and that with the issues of life and death before me, it is impossible for me to go through this world without having something which gives me reliable information respecting the world to come, I wish to know whether this book which I cling to, having cut adrift from Rome—cling to the more tenaciously—is not only the sufficient but is the *only* rule of faith and practice. I wish to know whether it carries with it the signature of God Almighty, and whether, when I anchor myself to it, it will hold; whether, when I rest my hope of salvation upon it my hopes are secure. This is why I wish to know whether this Word is the word of God. Now, if a man shall say he believes in the inspiration of the Scriptures and shall still say that, notwithstanding he believes that these Scriptures are not infallible, then the infallibility of the Scriptures being denied, the inspiration of the Scriptures goes for naught. Now, Professor Swing, I hold, denies the plenary inspiration of the scriptures. But even if he should retract this particular statement, and say that he was in error when he made it and that he now believes in the plenary inspiration of the Scriptures, I should not have closed the case even then; for it is still true that he does not believe—or at least he does not seem to, to judge from his writings—in the infallible authority of the Scriptures. That I propose to show. In his sermon, on "Old Testament Inspiration," the following passage occurs:

> There is, it seems to me, no other conceivable method of treating the Old Testament than that found in the word *eclecticism*. We must seek out its permanent truths, follow its central ideas, and love them the more because they are eliminated from the barbaric ages with so much sorrow and bloodshed.

Mr. Moderator, the question before us is not what you think, or what I think, or what the public thinks just now about that passage. The question is, what does that passage say? We have heard in evidence, or if not in evidence, we have heard the statement of Dr. Patterson, that he believes this passage to refer not to an eclecticism of *authority*, but to an eclecticism of *use*. Now, Prof. Swing may have made that statement to Dr. Patterson in such terms that Dr. Patterson cannot have a reasonable doubt. He is satisfied. But Prof. Swing has not made that statement to us. He has not made it to the world; and with all respect and deference to Dr. Patterson, we must submit that in the trial of a case like this, we cannot accept Dr. Patterson's opinions upon this question. We do not know what that conversation was. We do not know what Dr. Patterson said to him. We do not know how he took pains to elicit his opinion. We do not know whether Dr. Patterson made a confession of faith and Prof. Swing said "Those are my sentiments," or whether Prof. Swing made his confession of faith and Dr. Patterson said "That is so;" and the two things are very different.

Dr. Patterson.—Mr. Moderator, I beg to interrupt the gentleman. It doesn't matter to the Presbytery which was done. It was very clearly done.

Prof. Patton.—I proceed, Mr. Moderator. I say that is not before us. It is not a matter upon which you in your judicial capacity can adjudicate. The sentence stands in its naked and unrelieved position in his sermon that the principle of eclecticism is the only principle which we can adopt in the interpretation of the Scriptures. If it is an eclecticism of use, then we wish that statement made to us in order that the amendment may come before the public and be spread as wide as the error. But even if Prof. Swing should make that statement and come to this Presbytery and tell us that what he meant by eclecticism was an eclecticism of *use*, and not an eclecticism of *truth*—even then the case is not closed on the part of the prosecution, because Prof. Swing has said a great deal more than that.

In the articles in the *Interior* he makes statements, some of which I shall quote. I hold in my hand the *Interior* of September 4th, 1873, and in order to substantiate from his own writings the position that his meaning of inspiration is vague and that the Inspiration of the Scriptures as a phrase does

not carry with it by necessary implication the plenary Inspiration of the Scriptures, I will quote this passage:

After the Westminster Confession had uttered its conclusion about the Bible being an infallible rule of faith and life, it remains for each mind to find as best it can where that rule lies and whether the Divine Spirit is always equally in all parts of the Holy Book.

In the course of the controversy with Prof. Swing it came out that he had some question as to the propriety of the Israelites slaughtering the Canaanites; and that was the more surprising to me because as I read the Old Testament, the Israelites acted very advisedly in the premises, and did not go to that war, at any rate, at their own charges; and when he intimated his disapproval of the course which those ancient people took, I ventured to remonstrate with him to the effect that the people were perfectly safe in following the general, since the general was the Lord God of Hosts, and if He was satisfied with the victory we need not complain. Now, it seems that Prof. Swing did not accept my interpretation of those Old Testament transactions; and when he came to review the subject he used language which seemed to me to mean that he did condemn those Israelites; and when I said: "If you do, you must either condemn God also or else discredit the Bible." He declined to avail himself of the "corner that was fixed up," but said nevertheless, "I *do* believe the Bible and condemn the Israelites." Now I will read:

A bloody human passion was permitted of God to stand upon the Book, because he could make this wrath of man praise him in the outcome of church life. Your apology here, that God was himself the general of the armies, and had a moral right to kill noncombatants, is one which has long filled a large place in this debate; but it must be perfectly evident that, in your logic, God is thus made the general in the law of "eye for eye," upon the ground that, if he has a right to destroy an eye by disease, or a foot by palsy, He has a right to command men to put out eyes, or cut off hands upon a large scale, here or there. It is barely possible that my discourse may have contained words that should not have fallen upon the ears of a Presbyterian audience: but it contained no words that made God appear as general in battles that surpassed in cruelty those of Julius Cæsar, and no words that bind those battles up in the world's infallible rule of faith and practice. That spirit of warfare was accepted of God from humanity because He could over-rule a human evil for a final good, and thus it became a part of revelation by tolerance, and not by way of making known to mankind grand truths which could not have been reached by the light of reason.

Now, Mr. Moderator and Brethren: If I am at liberty to construe language at all, and if language is to be used in its plain and obvious sense (and I understand that is one of the canons of construction) then this sentence teaches that the Jews, although God did give them an explicit command to go and slaughter the Canaanites, and although in the face of their unwillingness to go He told them He would punish them if they did not go, Prof. Swing objects to the course which they pursued, condemns them for their cruelty; speaks of their wars in disparaging terms, says that they surpassed in cruelty those of Julius Cæsar, and objects to their being bound up in the world's infallible rule of faith. I say that in the face of these unretracted statements, two positions only are possible—they are, that God told the Jews to do something which He ought not to have told them to do, or that He did not tell them to do it at all; and that the statement that He did tell them to do it, is not true—Moses to the contrary notwithstanding. You are bound, sir, by all laws of rhetoric, and of logic, and of construction to come to one of these conclusions; you are bound to believe that God had no right to command the slaughter of those Canaanites, and that it was cruel when He commanded them to do it, or that God did not command them to do so, and that the Book which says he did command them to do so tells a lie. An impeachment of God Almighty, or a denial of the historic accuracy of Moses, is the dilemma in which Prof. Swing is placed; and although he politely declines the corner which has been "fixed up" for him as he says, we have not yet seen how he gets out of it.

Now it is not only in respect to the wars of the Jews that Prof. Swing is in error, but also in respect to the *laws* of the Jews. He says that the laws of the Jews are unjust, and that the laws of the Jews have ministered to human depravity. I quote:

It was the inspired depravity of character that was to be accounted for, and not the wickedness that comes in defiance of revelation. When a young man corrupting a female slave had to pay a fine of a sheep, and the girl alone had to be scourged, I would not like to say that his inspiration was one thing and his sanctification another. "Prof.

Swing has confused the two ideas" Well, it may be that when he shall have "more carefully studied the subject" he will see that such a law was in some way conducive to holiness, but up to this date a defective State law would seem closely related to a defective moral character. In the formation of human character, I am quite ready to confess that the inspiration of Christ, which not only makes no distinction between the bond woman and the free woman, but which does not scourge the weak one and fine the strong one, but plucks up the evil thoughts of both alike, will far surpass the inspiration of the Old Testament in shaping the heart for the here or the hereafter; and if this conclusion be true, then the defective character of the Jews was the natural result, in part, of a defective revelation or inspiration of moral principles. If David's personal character had been preceded by generations which dripped in blood, by generations which punished over thirty forms of offenses with death, by generations which slew women and children, by generations which punished impurity by a fine of one animal from a flock, and if, reared in such an atmosphere, David sent Uriah to the front and thus secured "Uriah's beauteous wife," one certainly should not attribute this immorality "to any lack of revelation," indeed, but rather to an absence of that quality of revelation found afterwards in the morals of Jesus.

And Professor Swing further says:

But I must terminate this letter. It is to be hoped that more will be said by yourself and others upon this immense topic of thought. I shall be very happy to continue my branch of the discussion as opportunity may occur. Your theory seems too defective and too timid to be considered as the undisputed theory of the great Presbyterian church. It is defective because it does not explain the phenomena of the Old Testament; defective because it does not inform this thoughtful world where the infallible guidance lies, whether in the Mosaic state laws, or in the principles that gravitate around Jesus Christ.

Now, I will not comment upon that. Professor Swing speaks of the laws of Moses as cruel and unjust. The laws of Moses were given to Moses by God, and if they are cruel and unjust, the responsibility lies with God.

It is not only in respect to the Old Testament, but also in respect to the New, that we have something to say by way of criticism of Professor Swing's published views. In an article upon the "Interpretation of the Apocalypse," published in the *National Sunday School Teacher* for July, 1873, we read certain passages like the following, and I ask the court to listen to these passages and to tell me, or to form their own judgment as to what the impression produced by these sentences would be. I do not affirm that in these passages the plenary inspiration of the Scriptures is denied. I do not affirm that Professor Swing directly teaches that the Apostle John was not inspired in the sense that the Presbyterian church believes him to have been inspired. But what does he say?

The vision of St. John seems nothing else than the common Christian doctrine glorified by the fervent touch of imagination.

I will read no further on that subject. Then he says again.

Of the exaltation of a whole age, Dante's poem is a perfect example. An entire era was lifted up by his immense power, and was all adorned as a bride, so that the earthly served only as the resting place of the golden ladder reaching to the sky.

In the Apocalypse St. John had gone before the great Florentine; and what Homer had done with Greece, what Virgil had done with Italy, what Dante afterwards did with the Middle Age, John did with the Christian theory of life, and death, and futurity. The common doctrines of religion, as let fall between Moses and Luke; the promises, the hopes the calamities, the mysteries, the rewards and punishments of the Christian system, are, in this powerful book, led up higher, to be clothed with the finer raiment and royal power of poetic imagery.

Still further, he says on page 248:

The art that can make the doctrines of Christianity rise up before us in awful grandeur, or supreme beauty, that can clothe punishment with mighty thunder, and make heaven unveil itself before us in dreamy loveliness, has inspiration enough in its moral results to make us willing to excuse it from historical or prophetic accuracy in the details of the dream. The value of the Apocalypse lies not in the fact that a city called Babylon exists in some district, and will be destroyed. This would be significant only to those living within such a corporation or having valuable possessions in the place.

I will read no farther from that article. It is accessible to members of the court. I will read now a passage or two from Prof. Swing's sermon entitled "St. John," and by way of showing what impression was produced by this sermon, I will say that before I saw it in print—only two days after it was preached—I received a letter from a gentleman who was a transient visitor in the city, and who had come from the east, and who had heard Prof. Swing preach. He wrote to me expressing his regret that a man should preach on the subject of St. John and make the following utterances respecting the Apocalypse. If these impressions were produced upon his mind, upon how many more minds were they produced? and if the im-

pressions produced upon the minds of men by his preaching are such as to shake their confidence in the authority of God's word, or their faith in the preacher's belief in its authority, then, whether this language could be construed favorably or not, this Presbytery ought to say that that kind of statement is not the statement to be made from a Presbyterian pulpit. Let us read; page 207:

I saw a pure river of water of life, as clear as crystal, proceeding out of the throne of God and the Lamb. The holy Spirit can inspire a poet as easily as a historian. There are no prophecies of literal events in the Apocalypse, any more than there are in Tasso, or in Tennyson, or in Whittier. There is, though, a poetic soul educated in the Greek school, that school which gave mankind the most intense poetry and the deepest thought; such a soul, seen in every verse of the Apocalypse, smiting the facts of Christianity and making them send forth music like a lyre swept by a skillful hand. What Dante was to Italy John was to Christianity, only in John the divine assisted the human. When Paul has said, "We shall all appear before the judgment seat of Christ," he has stated a cardinal truth of Christianity; but when this idea passed from logical Paul to the mystical John, it becomes clothed with its richest drapery, and amid the breaking seals and sounding trumpets and rolling thunders, a vast multitude pours along toward the Great Judge, and beg the overhanging rocks and mountains to cover them from His wrath.

The difference between the Gospel of Matthew and the Apocalypse of John is the difference between a history and a gallery of art—the difference between a simple sound and a symphone. Paul said the Gospel was to be carried to every nation, just as language and all truth are carried; but in the brain of John this idea became external, and was seen as an angel flying over the earth, saying with a loud voice, "Fear God and give glory to Him." For us to inquire the the meaning of the seven seals, and to inquire whether Rome be not the "Babylon," would be for us to seek the "Deserted Village" of Goldsmith or the "Beulah Land" of John Bunyan.

Now, I will read a passage or two from a writer who cannot be accused of being very partial to the theory of plenary inspiration as it is called, which we regard as the true one, and to which our church in general, and this Presbytery in particular, are committed; but because Dean Alford was a broad-church man, and was not a sound man on the subject of inspiration, we must regard his testimony in respect to the interpretation of the Apocalypse as more worthy of our attention; for if he can condemn as improper that style of interpretation which Prof. Swing has imposed upon the Apocalypse, *a fortiori*, will this Presbytery refuse to give it the sanction of its approval? In the prolegomena of his great commentary, page 241 of volume 4, he says:

And in the first place, we are met by an inquiry which it may be strange enough that we have to make in this day, but which nevertheless must be made. Is the book, it is asked, strictly speaking, a revelation at all? Is its so-called prophecy anything more than the ardent and imaginative poesy of a rapt spirit, built upon the then present trials and hopes of himself and his contemporaries? Is not its future bounded by the age and circumstances then existing? And are not all those mistaken, who attempted to deduce from it indications respecting our own or any subsequent age of the Church?

Two systems of understanding and interpreting the book have been raised on the basis of a view represented by the foregoing questions. The former of them, that of Grotius, Ewald, Eichhorn, and others, proceeds consistently enough in denying all prophecy, and explaining figuratively, with regard to the then present expectations, right or wrong, all the things contained in the book. The latter, that of Lucke, DeWette, Bleek, Dusterdieck, and others, while it professes to recognize a certain kind of inspiration in the writer, yet believes his view to have been entirely bounded by his own subjecting and circumstances, denying that the book contains anything specially revealed to John and by him declared to us; in regarding its whole contents as only instructive, in so far as they represent to us the inspiration of a fervid and inspired man, full of the Spirit of God, and his insight into forms of conflict and evil which are ever recurring in the history of the world and the church.

I own it seems to me that we cannot in consistency or in honesty accept this compromise. For let us ask ourselves, how does it agree with the phenomena? It conveniently saves the credit of the writer, and rescues the book from being an imposture, by conceding that he saw all which he said he saw; but at the same time maintains that all which he saw was purely subjective, having no external objective existence; and that those things which seemed to be prophecies of the distant future, are in fact no such prophecies, but have and exhaust their significance within the horizon of the writer's own experience and hopes.

But, then, if this be so, I do not see, after all, how the credit of the writer is so entirely saved. He distinctly lays claim to be speaking of long periods of time. To say nothing of the time involved in the other vision, he speaks of a *thousand years*, and of things which must happen at the end of that period. So that we must say, on the theory in question, that all his declarations of this kind are pure mistakes: and in exegesis, our view must be entirely limited to the inquiry, not what is for us and for all the meaning of

this or that prophecy, but what was the writer's meaning when he set it down. Whether subsequent events justified his guess, or falsified it, is for us a pure matter of archæological and psychological interest and no more.

If this be so, I submit that the book at once becomes that which is known as apocryphal, as distinguished from canonical; it is of no more value to us than the Shepherd of Hermas, or the Ascension of Isaiah: and is mere matter for criticism and independent judgment.

It will be no surprise to the readers of this work to be told that we are not prepared thus to deal with a book which we accept as canonical, and have all reason to believe to have been written by an Apostle. While we are no believers in what has been (we cannot help thinking foolishly) called *verbal* inspiration, we are not prepared to set aside the whole substance of the testimony of the writer of a book which we accept as canonical, nor to deny that visions, which he purports to have received from God to show to the church things which must shortly come to pass, were so received by him and for such a purpose.

Maintaining this ground, and taking into account the tone of the book itself, and the periods embraced in its prophecies, we cannot consent to believe the vision of the writer to have been bounded by the horizon of his own experience and personal hopes. We receive the book as being what it professes to be, a *revelation from* God, designed to show to his servants things which must shortly come to pass.

Now the only authority with which I rise to support my assertion that Prof. Swing has denied the Word of God is one which will not be disputed in this court, to-wit: The Word of God itself. This very book whose position and character and mode of interpretation are in question, opens with the sentence: "The Revelation of Jesus Christ, which God gave unto Him to show unto His servants things which must shortly come to pass; and He sent and signified it by His angel unto his servant John." And it closes with this passage: "And He said unto me, these things are faithful and true, and the Lord God of the Holy Prophets sent his angel to show unto his servants the things which must shortly be done."

And, sir, the only comment I have to make in respect to the position assumed by Prof. Swing, to the effect that there are no prophecies of literal events in this book, any more than there are in Tasso or in Tennyson or Whittier, shall be in the language of the book whose integrity is called in question, and whose authority is assailed.

"For I testify unto every man that heareth the words of the prophecy of this book, if any man shall add unto these things, God shall add unto him the plagues that are written in this book; and if any man shall take away from the words of the book of this prophecy, God shall take away his part out of the book of life, and out of the holy city, and from the things which are written in this book.

He which testifieth these things saith, surely I come quickly. Amen. Even so come Lord Jesus.

The grace of our Lord Jesus Christ be with you all. Amen."

Mr. Moderator, I have closed the discussion of this case, so far as it concerns the first charge. In view of the evidence I have adduced, and the arguments I have pressed, I leave it in the hands of the Presbytery, and ask them, dismissing all prejudice, forgetting altogether the questions involved so far as they imply personal relations, leaving out of their minds the prosecutor on the one hand, and the accused on the other, remembering their high character as judges in a court of Jesus Christ, considering all the evidence, with their idea of the responsibility that rests upon the Presbyterian ministry, and judging from their own personal standard as Presbyterian ministers, and from their own experience as elders of the Presbytery, what is due from one occupying the pastoral relation; I ask you if I am not right in affirming that Prof. Swing has not been faithful in maintaining the truths of the gospel, and has not been faithful and diligent in the exercise of his duties as such minister.

I thank you, brethren, for the kindness with which you have listened to me throughout this wearisome—I fear, wearisome discussion. I thank you, Mr. Moderator, for the fairness and the firmness and the patience which you have manifested, not only in the argument, but more especially in the proceedings of this assembly preliminary to the argument. In these respects which I have mentioned, you have deserved not only the thanks of the prosecutor, but I know you will receive the thanks of the accused. This recognition of your services comes with a little more grace perhaps from me, inasmuch as perhaps more even than any other person on the floor, I may have given you trouble during our deliberative sessions. And, Mr. Moderator, let me say before I pass to the consideration of the second charge

that if in the rapidity of unpremeditated speech I have said anything which was unwise or unkind; if I have passed the boundary which a Christian gentleman should observe, and within which he should keep, I hope that the Presbytery will forgive me. I do remember—and it is the only instance which occurs to me at this time—that once at least, since I began this argument, I did use an expression for which I shall now make a proper and a frank acknowledgment. It was with no disrespect to this court that in the heat of debate, and led away by the tide of feeling, I did say that this Presbytery ought not to acquit Prof. Swing of the charges preferred against him; and I did say that in the event of their acquitting him I would impeach the Presbytery at the bar of the higher court. Such a sentence, sir, ought not to have escaped my lips, and I hope that the Presbytery will accept my retraction of it in the spirit in which it is made.

Mr. Moderator, the first charge against Professor Swing was to the effect that he had not been faithful in certain particulars. Whatever may be the fate of the second charge, and whatever may be your judgment in respect to the evidence by which it has to be supported, I think, sir, there can be no question in the mind of this Presbytery, that at least the first charge has been sufficiently maintained. It is, however, a very different thing to affirm of one that he has not been faithful in the discharge of his duties, from what it is to affirm of him that he does not believe certain doctrines; but I recognize the distinction. We propose to show now that this second charge is true. We propose to substantiate this charge by the testimony of Mr. Shufeldt, and by the testimony of Professor Swing's written sermons; and if any one shall say that the accused party can not be made to criminate himself, I shall appeal to our friends of the legal profession to sustain me in this position, that, while the declaration of an accused person cannot substantiate his innocence, the admission of the accused is sufficient evidence to substantiate his guilt. The testimony, therefore, upon which I rely, is the testimony of Mr. Shufeldt, and the admission of Professor Swing, as that admission comes to us in the way of his own declaration, and as it presents itself to us in the light of the direct teachings of his sermons; for the court will see that in making this charge we rely not only upon Mr. Shufeldt, and upon Mr. Collier, but also upon all the specifications of the first charge.

Now, Professor Swing has admitted on the floor of this Presbytery that he does not receive and adopt the Confession of Faith as containing the system of doctrine taught in the Word of God. I do not mean to say that he has stated that in so many words; I do say that his plea—his declaration—cannot be construed in any other light, than, that he does not regard himself as holding the doctrine of the Confession of Faith, or as bound to hold them as a Presbyterian minister. He says:

"A distinction exists between Presbyterianism as formulated in past times, and Presbyterianism actual."

Now, if there is such a distinction, which this court can recognize, I, sir, was never informed of it until I heard it from the lips of Professor Swing. If we are not to be held to the formulated faith of the Presbyterian church, then I wish to know what is the basis of the Presbyterian Church? If we do not take the Confession of Faith as expressing our doctrine, then what *do* we take? He speaks of the "church actual;" what is the "church actual?" Is it the Church of Pittsburgh, which is "held in the grasp of a Calvinistic Hercules," to use his own expression, or is it the Church of Chicago, which has a "local gospel" which is "a mode of virtue and not a jumble of doctrines," and a system of evangelism of sufficient breadth and circumference to take in both Robert Patterson and Robert Collier?

Why, sir, if you accept this, you have started on the high road of latitudinarianism, and you can embrace every man who says he believes in the historic Christ, without in any sense of the word regarding him as a Saviour. If you once adopt the formula that the church actual and not the church historical is your basis of doctrine, then you have opened the doors for anybody and everybody, and the specific reason for a Presbyterian organization is numbered among the things of the past.

Now, we believe that there is a position in the world for the Presbyterian church; that she has a function to discharge; that her basis is a doctrinal basis; that that doctrinal basis is the Confession of Faith; that the Confession of Faith has been ratified and confirmed as the Confession of Faith of the Presbyterian church at the reunion; and I do not

believe that this Presbytery will accept Professor Swing's interpretation of an "actual church" in contradistinction from a *formulated* church. Professor Swing has told us distinctly that he does not believe that our church holds to anything more than the evangelical doctrines. If that is not what he said, I will repeat the words which he used and leave it for you to say whether I have misconstrued him. He says:

Hence, unable to revoke any dangerous idea by law, the Presbyterian Church permits its clergy to distinguish *actual* from the church *historic*. To the Presbyterian Church actual I have thus far devoted my life, giving it what I possess of mind and heart.

Now, if in a sentence Prof. Swing affirms the antithesis between the church actual and the church historical, and then goes on to say that it is the church *actual* to which he has given his life, is it not a fair implication then, that it is not to the church *historical* that his labors belong? But that is not all. He goes on to say:

It has been my good or bad fortune to speak in public and in private to a large number of persons hostile to our church, and in nearly all cases I have found their hostility based upon the doctrines indicated above, and in all ways I have declared to them that the Presbyterian Church had left behind those doctrines, [referring to some doctrine mentioned above] and that her religion was simply evangelical, and not *par excellence*, the religion of despair. In my peculiar ministry a simple silence has not been sufficient. I have therefore, at many times, declared our denomination to be simply a church of the common evangelical doctrines.

Now, if Prof. Swing teaches anything in those passages he does affirm that what he holds himself as bound to believe, are the common evangelical doctrines. He comes into this court, and so far from answering the charges of not receiving the Confession of Faith, as he declared he did receive it in sincerity when he took his ordination vows, he comes into your presence, and in the face of the fact that the Presbyterian Church has declared, with the solemnity of its two General Assemblies, at its late reunion, that the Confession of Faith was its basis of doctrine, he makes a new Confession of Faith, and says that *this* is the basis upon which he will stand, and that if the Presbyterian Church will accept that as their basis of doctrine she can have his services, and that if she will not accept, that he is ready to cross the boundary which separates him from other evangelical churches.

Now if I have put a wrong construction upon the language of Prof. Swing, it is a construction in which I am supported by the press and by the public. I do not see any other construction than that he does not believe the Confession of Faith of the Presbyterian church, or hold himself bound to receive it in order that he may remain in the ministry of the Presbyterian church.

Prof. Swing has repudiated those doctrines which look towards a dark fatalism and leads to the belief that religion is a despair Now, sir, there are no doctrines of fatalism in the Presbyterian church. But it is not for me at this moment to speak in protest against the charge that the Presbyterian church holds fatalism, except to say that when he referred to those doctrines he could have referred to no other doctrines than those which speak of God's sovereignty, predestination, and inability; and if he means to say that he has left those doctrines, then he has left a very important element of the Confession of Faith behind him, and in no other light than that he has abandoned those doctrines, can his language be construed. He has said that he has left behind him the doctrine of hell, as it is taught in the Confession of Faith, with such terrible plainness. Now it is not for me at this moment to revert to the fact that he has charged upon the Presbyterian church the idea that she has pandered to infidelity, but simply to say that in making that statement and connecting with it a slander upon the Presbyterian church, he nevertheless, does admit that he does not believe that doctrine as that doctrine is taught in the Confession of Faith, and if he does not believe that doctrine as taught in the Confession of Faith, it cannot be said of him that he receives the system of doctrine taught in the Confession of Faith; for that doctrine is part of the system, and by no means an unimportant part, either.

Now, sir, I pass from Prof. Swing's admission in the declaration to the testimony of Mr. Shufeldt, in which that gentleman refers to the tree about whose branches there was so much discussion, and while there was a great effort to show that the doctrine of infant damnation was one of the five points of Calvinism, and therefore one of the three which were repudiated, it nevertheless, remains in evidence that Mr. Shufeldt did testify to the best of Mr. Shufeldt's knowledge and belief that Prof. Swing did say that either he had abandoned, or that the church had abandoned

—and if the church had abandoned, it was clear that he was with her in that abandonment — two at least of the doctrines commonly known as the five points of Calvinism; and Mr. Shufeldt spoke with a good deal of firmness and a good deal of assurance.

Dr. Patterson.—Allow me to interrupt the prosecutor, I think his statement was about two of the branches on the tree that was marked "abandoned."

Prof. Patton.—The amount of Mr. Shufeldt's testimony was that Prof. Swing had abandoned one or more of the five points of Calvinism, and whether it was relevant or not, it is not necessary to rest the case upon that. He did testify that he had abandoned one of those five points of Calvinism, and the substance of the issue is proved. It is not necessary for the prosecution to prove every solitary item in the allegation, as I can show by citing the ordinary rules of evidence, and the precedents of Ecclesiastical Courts. The substance of the issue is proved when we have proven that to Mr. Shufeldt's certain knowledge Mr. Swing had written to him that he had abandoned one of the five points of Calvinism, and so far as he could remember, that he had abandoned another.

But we propose to show that Prof. Swing has not only abandoned the five points of Calvinism—these are not the particular questions which give us the most trouble. We wish it to be distinctly understood that this issue does not turn upon the five points of Calvinism by a good deal; it is an issue of far more importance than the five points of Calvinism, and Prof. Swing's adherence thereto. Prof. Swing has taught the doctrine of Sabellianism. We discussed that yesterday, and we need not go over it again. He did give it his approval, and did ridicule the doctrine of the threeness of one and the oneness of three; and if a favorable construction can be put upon this language in that regard—a construction which would not imply disbelief in the Trinity—that is for the Court to say. We hold that in teaching Sabellianism, if he does not believe what he teaches, and the Presbytery affirms that he does not, then, in acquitting him of the charge on the ground of his not believing the doctrine which he has taught, the Presbytery itself makes a charge against him of far more gravity than that which I have preferred.

And what is more, Prof. Swing has denied the doctrine of Justification by Faith; that is to say, he has made use of language which is not in keeping with that doctrine as it is taught in the Confession of Faith. I shall not argue that point, because I discussed that yesterday. It is taught in the sermon entitled "Faith;" and it is taught elsewhere. I leave it to the Presbytery to say whether those sermons on a careful study will not bear me out in the conclusion that he does not believe that Justification is an act of God's free grace. I say that he not only has taught contrary to the doctrine of Justification by Faith, but he has taught that we are saved by good works; and that doctrine is contrary to our Confession of Faith. That doctrine is taught so explicitly and unqualifiedly that we are led to the conclusion that he does not believe the doctrines of the Confession of Faith, because if he did believe them he could not contradict them in his published works; and I have so much respect for Prof. Swing's integrity, I have so high a regard for his ability, that I am not willing to believe that, holding these doctrines, he has nevertheless taught the contrary.

And not only so. He does not believe in the Inspiration of the Scriptures. I have assumed, (and I think I have maintained my position, and that it yet remains uncontradicted) that Prof. Swing's published utterances are not in harmony with the doctrine of the plenary Inspiration of the Scriptures as that doctrine is held by all the Reformed Churches, as it is formulated in our own Confession and as it was affirmed in a recent decision of the Presbytery of Chicago. And let me now call the attention of the Presbytery to the celebrated Craighead case, of which so much has been said. The case of Mr. Craighead was one in which he was charged with "denying and vilifying the real agency of the spirit in regeneration and in the production of faith and sanctification in general." He was acquitted of this charge of heresy, but while acquitted of the charge of heresy, as I have already said, they nevertheless pronounced a censure upon him for the use of language which was injurious and dangerous, even although they gave him the benefit of a more favorable construction in view of his own disavowal. They did lay down this principle which I suppose must govern you in the decision of this case, and which will be brought before the Presbytery in due time I doubt not by the defense. But

to anticipate that I beg that they will remember the circumstances in the case and the qualifying clauses in the decision. It says, and I am quoting now from Baird's Digest, page 653:

Here it will be important to remark, that a man cannot fairly be convicted of heresy, for using expressions which may be so interpreted as to involve heretical doctrines, if they may also admit of a more favorable construction; because, no one can tell in what sense an ambiguous expression is used, but the speaker or writer, and he has a right to explain himself; and in such cases, candor requires, that a court should favor the accused, by putting on his words the more favorable, rather than the less favorable construction.

Another principle is, that no man can rightly be convicted of heresy by inference or implication; that is, we must not charge an accused person with holding those consequences which may legitmately flow from his assertions.

Many men are grossly inconsistent with themselves; and while it is right, in argument, to overthrow false opinions, by tracing them in their connections and consequences, it is not right to charge any man with an opinion which he disavows.

Now, sir, to that decision I hope we shall give respectful assent, and allow it to have the weight which it deserves to have in the adjudication of this case.

Now, what does it say? It says that when an ambiguous expression is used the speaker has the right to explain himself, and if a more favorable construction can be put upon his language, he is to have the benefit of it. If, for instance, a single sentence were quoted from one of Prof. Swing's sermons, as single sentences have been quoted (and with great propriety, permit me to say) from Prof. Swing's sermons in the prosecution, it would not be fair for the prosecution on the basis of a single sentence to allege that Prof. Swing was guilty of heresy, if that sentence were capable of a construction in harmony with the Confession of Faith, and if, after that sentence had been brought to his attention, he had given it a construction in that more favorable sense.

Then another principle is—a man cannot be convinced of heresy on the ground of inference; and it is a perfectly fair proposition. That is to say, suppose that I should find Prof. Swing preaching that the sacrifices of the Jews were "gift worship," then I should be perfectly safe in saying in argument, that the legitimate and logical consequence of that position would be a denial of the expiatory character of the death of Christ; and that the Epistle to the Hebrews was written to prove the analogy between those sacrifices and the sacrifices of Christ; and that as we decide upon the one must we conclude upon the other. But our General Assembly says, a "man may be very inconsistent with himself," and he may hold that the Jewish sacrifices were gift worship, and that Christ's sacrifice was expiatory. Therefore, I would not be justified in bringing a charge of heresy to the effect that Prof. Swing does not believe in the expiatory sacrifice of Christ on that ground alone; although it might be proper for me in argument to say what such a position would logically lead to.

But we must not carry this decision of the General Assembly to the extent of saying that we cannot convict a man of heresy until he has distinctly and unequivocally affirmed that he does not believe in certain doctrines. For cases of heresy are not usually those in which a man has said, I do not believe this doctrine; but in which he has directly taught the opposite doctrine. Now, when Prof. Swing does unequivocally teach false doctrine—when he does teach heresy and he does preach heresy—on the presumption that he teaches what he believes, and speaks his mind when he speaks in the pulpit, we are quite correct in saying that he does not believe these doctrines if he teaches the contrary doctrine. And that I am right in this position and in this construction of the Craighead decision is proved by a reference to page 703 of the *Digest*, which has not yet been referred to in any of the notices of the Craighead decision. In the case of Albert Barnes the decision of the General Assembly is given in the following words:

Much less do the Assembly adopt as doctrines consistent with our standards, and to be tolerated in our church, the errors alleged by the prosecutor, as contained in the book on the Romans. It was a question of fact whether the errors alleged are contained in the book; and by the laws of exposition, in conscientious exercise of their own rights and duties, the Assembly have come to the conclusion that the book does not teach the errors charged. This judgment of the Assembly is based on this maxim of equity and charity, adopted by the Assembly of 1824, in the case of Craighead, which is as follows: "A man cannot be fairly convicted of heresy for using expressions which may be so interpreted as to involve heretical doctrines, if they also admit of a more favorable construction. It is not right to charge any man with an opinion which he disavows."

Now the General Assembly, in the case of Rev. Albert Barnes, expounded the Craighead decision in the following words—and being a later decision, or an exposition of the Craighead decision, it may therefore be taken by us as authority. What does it say?

The import of this is that, when language claimed to be heretical admits without violence, of an orthodox exposition, and the accused disclaims the alleged error, and claims as his meaning the orthodox interpretation, he is entitled to it, and it is to be regarded as the true intent and import of his words. But in the case of the first edition of the Notes on the Romans, the language is without violence, reconcilable with an interpretation conformable to our standards; and therefore, all the changes of phraseology which he has subsequently made, and all his disclaimers before the Assembly, and all his definite and unequivocal declarations of the true intent and meaning of his words in the first edition, are to be taken as ascertaining his true meaning, and forbid the Assembly to condemn as teaching great and dangerous errors.

The same thing is found in the New School Digest, page 308.

Now, the bearing of that decision upon the case in hand is this: There are three contingencies in the way of acquittal on the charge of heresy in the case of Prof. Swing. The first is whether the language alleged to contravene the standards of the Presbyterian Church, is capable of a construction in harmony with the standards of that church *without violence*; and it will be for the Presbytery to take upon itself the responsibility of construing his language, and to say whether in their judgment the language of Prof. Swing is capable of construction in harmony with the standards of the Presbyterian Church without doing violence to the rules of interpretation. And the second is whether Prof. Swing will avow the doctrines which he is alleged to impugn. Will he say that he *does* believe the doctrine of the Trinity, as that is taught in the Confession of Faith? Does he say that he believes the doctrine of inspiration as that has been affirmed by the deliverance of this Presbytery, and as it is taught in the standards of our church? Does he believe, and will he say he believes, these doctrines; and will he plant himself squarely upon the standards of the church, publicly, to the effect that he *does* believe the doctrine of justification by faith, as it is taught in the Confession of Faith, and that he *does* believe the doctrine of predestination, as it is taught in the Confession of Faith? If he does, and if the language he has used is capable of construction in harmony with the language of the Confession of Faith, then two of the contingencies will have been met. But there is a third one. Does he disavow the doctrines which he has been alleged to hold?

Will the language which he has used be capable of a favorable construction without violence? Will he disavow the heretical doctrines imputed to him? Will he affirm his belief in the doctrines which he is alleged to have impugned?

These are the conditions which are to be satisfied before this Presbytery can acquit Prof. Swing of the second charge in this complaint.

Mr. Moderator: The issue in this case is one of belief in the Confession of Faith of the Presbyterian Church. Let there go before the world this explicit avowal on the part of the prosecution that this is not an issue between the Old School and New School theology. If a man holds that we are degenerate by virtue of our federal or our natural relations to Adam, I shall not care; if he says that the decree of election anticipates the decree of redemption I shall not raise an issue. The simple question is—*does* he hold these doctrines in any sense compatible with an honest construction of the Confession of Faith? Let us say while I do believe that the Presbyterian Church has a mission in the world which is distinctive, and has a right to her existence on the ground of the doctrines which differentiate her from her sister denominations, that, nevertheless, the particular issues at stake in this controversy are those which would be maintained as much by Methodists and Baptists and Episcopalians and orthodox Congregationalists as I do expect them to be maintained by the Presbyterian Church. They are issues which go to the foundation of Christianity, which touch the question of our rule of faith, which refer to the Trinity and the ground on which we rest our hopes of Heaven.

Let me say further that the case now rests with you. You have had the evidence and you have heard the argument. You know that it has been proven in this Court that Prof. Swing uses equivocal language in regard to vital doctrines; that he has neglected to preach the great doctrines which underlie

our faith; that he has derided the standards of the Presbyterian Church not only with respect to doctrines which are peculiar to it but also with respect to doctrines which underlie the whole scheme of Christianity; that he has made false and dangerous statements in regard to one and another of the great doctrines of the Word of God; and, finally, that he has taught contrary to the doctrine of Justification by Faith, and contrary to the doctrine of the Inspiration of the Scriptures; and that in presenting himself at the bar of this Presbytery in answer to these charges preferred against him he has claimed that the doctrines called evangelical are the only ones held by the Presbyterian Church. You know that in regard to some of the doctrines of the Confession of Faith he admits that he has departed from them, and in regard to others it has been proved that he has done so. All this you have before you, and I leave with you the question whether or not the charges against Prof. David Swing shall be sustained.

At this point the Presbytery took a recess till 2 o'clock P. M.

The Presbytery re-assembled at two o'clock P. M.

Rev. Mr. Noyes then entered upon his argument for the defense.

ARGUMENT OF THE COUNSEL FOR THE DEFENDANT.

Mr. Moderator, Fathers, and Brethren of the Presbytery of Chicago: It is only the extreme desire I have that this case may be submitted as early as possible to your decision, that makes me willing to appear before you this afternoon, and enter upon the argument in behalf of the defense. For, unfortunately, I have been suffering for the last twelve hours with somewhat serious indisposition, and I fear that my strength will not hold out to enable me to occupy the whole time appointed for this afternoon session; but I will at least begin, and proceed to the furthest limit of my strength.

We are confronted to-day by that which, if we are not willfully blind, must appear to us all as a "great and sore trouble." Scarcely has the honeymoon passed, which followed the happy marriage of the Old and New School branches of the Presbyterian Church, when a new danger arises to threaten our peace. The echoes of voices which were raised in joyful thanksgiving to God over that blessed union, have hardly died away, when suddenly our hearts are pained and filled with anxiety by the presence of unexpected peril. Upon the married life of these churches, over all of which a spirit of love and peace has been breathed, dark clouds now begin to arise, threatening storm, and wrath, and ruin. It would seem that whom God has joined together, man, in his folly, is in danger of putting asunder. Until recently there was peace within the bounds of this Presbytery. In one branch of the church there had, unhappily, been strife in the days that are gone. But in the general good feeling consequent upon the reunion, past differences seemed destined to a speedy oblivion, and there was every promise that we should abundantly realize, "how good and how pleasant a thing it is for brethren to dwell together in unity." But from our deep dream of peace we have suddenly been awakened. How it came about you all know, and I will not take your time, upon which I shall necessarily make large demands, to recount the story. I will, therefore, proceed at once to the business in hand. Before entering, however, upon any examination of the argument which has been made by the prosecutor in this case, I desire to ask your attention for a little time to the form of the complaint upon which the defendant in this case is arraigned at your bar. When this indictment was presented, the defendant was somewhat peculiarly placed. If his counsel had moved to quash it, there would have been an instant outcry on the part of the prosecutor and his friends, that we were attempting to smother inquiry and to avoid a fair investigation. If we made no such motion, we put ourselves in the position of seeming to approve of the indictment as correct, both in form and substance. We did not wish to move to quash it, nor were we willing to be understood as regarding it rightly drawn. In this state of things, I desired at the outset to make an explanatory statement. But to this objection was made, and so the case went to trial. In both the charges here exhibited and in nearly all the specifications under them, there are such obvious and glaring defects, either of substance or of form, that in any purely equitable and legal, not to say technical view, they ought never to have been entertained. They should have been turned incontinently out of court.

In support of this statement it will be necessary to consider (1) the nature of a charge, (2) of a specification, and then (3) show how neither the charges of this indictment nor the specifications by which it is sought to prove them, are such as to make a valid case for trial.

In discussing these points, let it first be distinctly admitted that the extreme nicety and refinement of criticism, with which indictments are handled in civil courts, would be quite out of place in an ecclesiastical tribunal like this: and yet it will be admitted by all that there are certain rules founded on natural justice, which ought to be observed and held inviolable by ecclesiastical courts. Because an indictment here may not properly be handled in that remorseless way which prevails in civil courts, it does not follow that it may be drawn in such a way as to violate, in its charges and specifications, the most obvious principles of justice. But that, in the case before us, this has been done, it will not be difficult to prove.

The general term charge may be understood as applying to the whole accusation made against the accused person. This accusation consists of two distinct parts: the first, which is specially called the charge, consists in designating the general offense of which the accused is charged; and the second, which is called the specification to the charge, consists in the alleging of certain specified acts done by the accused, which are supposed to constitute or prove the general offense named in the charge. A charge, it is plain, ought to set forth some one general offense, which is so exceptional in its character as imperatively to call for ecclesiastical censure. The charge must also clearly and distinctly define the offense, so that the accused may know precisely of what he is accused. Vague charges are objectionable, and unfair, to the last degree. Applying now these principles to the charges in this indictment, what should be our judgment upon them? It is noticeable that they are both negative in form. The prosecution charges that the defendant has not been "faithful and zealous in maintaining the truths of the Gospel," and that he "does not sincerely receive and adopt the Confession of Faith."

The first charge is indefinite to the extent of *not naming at all* any punishable offense. Would the prosecutor come into this court and claim that he has been, and is faithful as a minister? Such a boast, if he were to make it, as I know he would not, would of itself be a swift witness against him for unfaithfulness. You cannot run the line between the faithful and the unfaithful. You cannot find the point where faithfulness begins; so that, this side that point, a man may go uncensured of his brethren, and beyond it be justly exposed to their sentence of condemnation. All are zealous, faithful, and diligent in some degree, but in some degree, also, all come short.

Charge second is still more objectionable. It arraigns the defendant, not for what he teaches, let it be carefully observed, but for what he *thinks*. It is true, indeed, that the specifications might embody facts that would so reveal the state of the respondent's mind as to show that he does not receive the Confession of Faith. They might do this but they do not. They contain only the prosecutor's own inferences and conclusions which he draws from Prof. Swing's language. The charge is founded upon the supposed state of a man's mind, and not upon any clear and unquestionably heretical utterances of his lips. To judge the heart is the prerogative, not of the prosecutor in this case, not of the members of this court, but of God alone. Let me illustrate what I mean, by saying that the specifications under these charges are so indefinite as not to sustain or make manifest what is the offense to which the respondent is to answer. The very first specification under charge I begins with setting forth what? A fact? Not at all; but simply the conclusion of the prosecutor, in this language: "he is in the habit of using equivocal language"—who is to be the judge of equivocal language?—"to the manifest injury of his reputation as a Christian Minister, and to the injury of the cause of Christ." Specification third reads:

He has manifested a culpable disregard of the essential doctrines of Christianity by giving the weight of his influence to the Unitarian denomination, and by the unworthy and extravagant laudation in the pulpit, and through the press of John Stuart Mill, a man who was known not to have believed in the Christian religion.

Is that the setting forth of a fact—of an act which clearly reveals and manifests to this court the guilt of the respondent? On the contrary, it is setting forth only a conclusion of the prosecutor himself. So also, of specification fourth. "In the sermons

aforesaid, language is employed which is derogatory to the standards of the Presbyterian church." Again, an exhibition simply of the prosecutor's inferences. Specification ninth declares: "He has given his approval in the pulpit to the doctrine commonly known as Sabellianism." Whatever he may have done, in the judgment of Prof. Patton, certainly there are many who have made themselves familiar with the facts of this trial, as they have been developed, and spread out before this court, who do not at all agree with him in the conclusion which he sets forth here, that Prof. Swing is a Sabellian, and that he has given his public approval to that doctrine. I might go on through every one of the specifications which are set forth under these charges, and show that they all, so far as they embody anything culpable, embody simply the judgments and conclusions of the prosecutor himself, and nothing more.

I come next to speak of the specification. And here, in defining what the specification is, and what it should embrace, I shall have occasion to state principles which I am sure will commend themselves to the judgment and common sense of every member of this body. The specification [see O'Brien's Military Law and Courts Martial] must always charge the accused with having, at such a time and such a place, done certain acts which amount, or which are thought to amount, to the offense stated in the charge. "The fact, or facts, ought to be very distinctly specified or alleged, in such a manner that neither the accused nor the court can have any difficulty in knowing what is the precise object of investigation." Another principle which should obtain in the drawing of the specification under a charge, is this: that every fact in the specification should be such as, if proved, would convict the accused of the charge, or at least *might* convict him of it. But does any member of this court believe that one-half of these specifications can be regarded as meeting this obvious and reasonable requirement? Any allegation in the specification which, if proved, could not convict the accused of any degree of crime charged, is irrelevant, and should be rejected at the outset of the trial. A motion would have been made to that effect but for the reason which has already been stated—in order that we might not *seem* in any way to be shrinking from or seeking to avoid, a clear and most searching examination into the facts set forth or alleged in this complaint. But then the retention of such irrelevant matter in a charge is surplusage, and no evidence should be, and no evidence can rightfully be, received thereon. But then it is always better to reject such matter at the first. Again, I think it will be agreed by the members of this court, that it is a highly improper thing that the inferences of a prosecutor should ever be suffered to appear in the specification; and yet, if you take the prosecutor's inferences away from this complaint, you take the specifications away with them; there is nothing else left. The facts alone should be stated. It is for the court to draw the inference in each separate and individual case. These inferences of the prosecutor should then be regarded by the court as mere surplusage.

Again, there should be no uncertainty or vagueness in the specifications. And yet the indictment before this body, and on which your brother presbyter has been arraigned, has been framed in conspicuous violation of all these principles. The members of this Court have been enveloped in a great cloud of words, words which state next to nothing as regards actual facts, and which insinuate next to everything in the shape of the prosecutor's inferences; and through such a hazy and distorting medium as this, they are asked to look at their accused brother and see if he does not appear an unfaithful minister and a heretical teacher. We have involution and convolution illustrated before us in this indictment to such a bewildering extent, that this body might well be adjudged incapable of determining the degree of guilt which should be attached to him who holds to the doctrine of "evolution" or religious progress and growth. Nor does it help the matter, nor at all serve to lift us out of this haze of indefiniteness which, like a London fog, envelops us all, that the Prosecutor comes and protests, in open Court, as he did at the outset of this trial, that he cannot make these charges and specifications any more definite; for this is tantamount to a confession on his part that he has no case. If a man were guilty of murder, it would, I suppose, be possible to say so distinctly. If he were guilty of falsehood, the English language is rich enough in resources to enable one to charge *that* also with definiteness, precision and even emphasis. And if this re-

spondent at your bar has been guilty of any well defined and unquestionable ecclesiastical offense, it ought not to be impossible to say *what* offense, and the statement should be one of *fact* and not of *inference*. But that the charges in this indictment do not give us any light upon this point I have already shown. That the specifications leave us equally in the dark can be easily shown; and in discussing these specifications I shall not, at this point, undertake to follow the order of argument presented by the prosecutor, but shall simply ask your attention to the specifications, or rather to a few of them, by way of illustrating my objections to this indictment.

Beginning with the first of the specifications and assuming the charge to be in proper form, the object of the specification is to point out wherein the defendant has failed in zeal and faithfulness and diligence as a minister. The particular instances in which the lack of these qualities has been manifested, should be exhibited in the specifications. We look for them there and find nothing of the kind. Specification first, as Dr. Swazey's protest well declared, is no specification at all. The substance of it is that equivocal language has been used in sermons printed in the *Chicago Pulpit* and the *Alliance*, and the volume entitled "Truths for To-day." In these sermons, references to cardinal doctrines are declared to be vague, and it is charged that these doctrines have not been unequivocally affirmed. Now the object of a specification is to tell a man what *particular dereliction* he is accused of, that he may deny his guilt in regard to that particular. This specification permits the prosecutor to seek his evidence in any of the volumes of sermons alluded to, while it gives the accused no notice as to the particular utterance or mode of speech which is objected to.

Specification second is, that the effect of Prof. Swing's offense has been to awaken doubts in the minds of some of his brethren, and to cause Unitarians to claim him. It is further asserted that Mr. Swing, knowing that he was suspected of doctrinal unsoundness, has not declared his position by preaching sermons especially for that purpose, nor in any other way. This specification is remarkable only for what Hamlet would call "a plentiful lack" of definiteness. Men are often indicted, as we all know, for *crime*, but this is the first instance that I remember ever to have heard of, where a man has been indicted for the *effects* of a crime? But here the accused is charged with the consequences of his pretended offences, and it is further alleged that, knowing these consequences, he has not reformed. Now, if the accused has been guilty of an ecclesiastical offense, he should be charged specially with that, and tried upon it, and not, as is here most unjustly done, be arraigned for the consequences of a pretended offense, and for not reforming though knowing the consequences.

Specification third, in its first averment, declares that the accused has given the weight of his influence in favor of Unitarianism. Now an influence grows out of acts, and to charge a man with using an influence, is charging him with a conclusion. Instead of that, he should be charged with *certain specified acts*, and he should be punished for these acts, if he is guilty of them, and if they constitute a disciplinable offense, but not otherwise. He is next said to be guilty of unworthy and extravagant laudation of John Stuart Mill. But this is a conclusion which the prosecutor arrives at in his own mind. If the accused has extravagantly lauded Mr. Mill, he did it by the use of certain words, which ought to have been quoted in the specification, and on these he ought to be tried. But instead of this, the prosecutor has drawn his own conclusion from the words which he does not quote, and then seeks to prosecute the defendant on the conclusion which he draws. In this, therefore, the specification is defective in form. It sets forth the conclusion which the prosecutor draws from the language of the defendant, but not the language itself. It is for the Court to draw the conclusions. But may not a man speak words of praise of an atheist? Not of his atheism, for with doing this Prof. Patton does not go so far as to charge Prof. Swing. "The unworthy and extravagant laudations" of Mr. Mill had respect, as even the prosecutor himself confesses, only to his great abilities, acknowledged by all, and to his fruitful labors in the fields of philosophy, of literature, and of political, moral and social reform. In all these departments of human effort, it cannot be denied that Mr. Mill was an earnest and conscientious worker. And having been such, is it a sin to speak well of him so far as these labors are concerned? To say that

Mr. Mill labored with all his might to tear down and destroy the Christian religion, is simply to say what is notoriously untrue. He did nothing of the kind. It was not till his autobiography appeared, almost at the close of his life, that men knew what his opinions were on the subject of religion. He had from all, except from his intimate friends, if not even from these, kept his opinions concealed. He was not known as an atheist, nor even as an enemy of religion, except in the sense that he was not known as its friend. But even if he had been an open and vindictive enemy of Christianity, should we therefore refuse to recognize his great gifts? Prof. Swing may have formed too favorable an opinion of the man, and of his general work. His view is one with which the prosecutor evidently does not coincide, and with which members of this court, very possibly, may not coincide. But what then? Is it not better to err on the side of charity than on the side of severity? Prof. Swing did not fail to see, nor did he fail to point out very emphatically, the defect in Mr. Mill's character. Upon his life, so abounding in labors in behalf of philosophy and reform, he wrote the word "vanity" as his final verdict, in broad and legible characters, and even though you suppose that his judgment of him as a philosopher, as a political economist, and as a reformer, be a too favorable one, are you going to regard this as an ecclesiastical misdemeanor which requires a formal censure? I have not so poor an opinion of this court as to believe that they will for one moment entertain such a thought. No, sir, Prof. Patton is wrong. He is wrong in thinking that the religion of Christ is to be commended and advanced by treating every unbeliever in it as a heathen man and a publican. He is wrong in himself insisting upon the principle of refusing to commend what is commendable in another, simply because he is not all that we know he should be. Not so did the Saviour, for He commended one, almost warmly, for the good qualities which he possessed; but He did not omit to say, "One thing thou lackest." Lacking that, he lacked all things. It is not in any important respect different from this, that Prof. Swing has spoken of John Stuart Mill. He has not, therefore, done in this matter what amounts even to an indiscretion, least of all to an offense, and hence all the prosecutor's ingenious and skillful pleading does not deserve, as I am persuaded it will not receive, at your hands, any serious consideration.

Professor Swing is next charged with having said, in substance, in the *Lakeside Monthly*, that Robert Patterson and Robert Collyer preached the same doctrine. This also, is a conclusion of Professor Patton, and one which does manifest violence to the language which the defendant employed. He said that the two ministers preached practically; and to infer from this that they preached the same gospel, is about as reasonable as to assume that two men are declared to preach the same gospel because they both preach earnestly, or both preach from manuscript, or are both eloquent men. In like manner, the prosecutor's comments upon the words "local Gospel," grossly pervert Professor Swing's meaning; as if he had said that the Gospel was one thing in Pittsburgh and another in Saint Louis, and still another in Chicago. I submit that no fair minded man, reading another for the sole purpose of getting at his real thought, would ever be in danger of mistaking the meaning of these words. He would understand them as referring to the *different modes* of presenting the Gospel, and not as signifying a different Gospel for each. In this sense, the local Gospel where I preach, and the local Gospel where Professor Patton preaches, are very different from each other; and I suppose they always will be, unless—what is exceedingly unlikely—the prosecutor comes to adopt, substantially, my method of stating and illustrating truth. Mr. Moderator, it is hard to be patient with a critic so unreasonably captious, so grossly unfair, so absurdly whimsical, as the framer of this indictment has shown himself to be. I say unhesitatingly, and reverently, that if he were to subject the language of Christ to the same torture that he applies to the language of Professor Swing, he would have no difficulty at all in making Him out a teacher of false doctrines

There is, then, nothing in this specification that is definite, except one act and one saying. The act is that Professor Swing gave a lecture in aid of a Unitarian chapel, and the saying is, that he considered religion a mode of virtue. But neither the act nor the saying amounts to an offense. By no fair construction can this act of lecturing in aid of a chapel, erected to the memory of Mary Price

Collier, be taken out of the domain of Christian casuistry and private conscience. There is where it belongs, and there is where the adjudication must be held, and not in this court. You may say, Mr. Moderator, that you would not perform such a service, and it would be your right to decline any such invitation, if you were to receive one. But you have no right to impeach the motives, still less to demand a formal censure, of a brother, who, in the exercise of his own judgment, and in conformity with the decisions of his own conscience, renders such a service when asked to do so. So great and good a man, and so sound a theologian, as the venerable Dr. Hodge, gave his countenance and support, publicly, to the Roman Catholic church, on a memorable occasion which we all remember. Yet it has been the fashion with Protestants (and, perhaps, the prosecutor has followed the fashion,) to denounce this church as "the mother of harlots"—that great Babylon, whose exemplary and terrible overthrow is set forth in the visions of the Apocalypse. Now, sir, liberty of private judgment must be allowed here. Because you think that temperance means total abstinence, you must not arraign the man who cannot see exactly with your eyes. Because you count it an offense against good morals, and divine law, to ride in the street cars on Sunday, you have no right to indict before the church a man who may happen to think and act differently. Because you believe it to be a sin against God and man to use tobacco, you must not, therefore, set up your own private opinion as the rule of faith and practice for others. Besides, if it is a disciplinable offense for a Presbyterian minister to help Unitarianism by lecturing—and it is simply a begging of the question to say that it does—is it not equally a disciplinable offense for a Presbyterian Elder to keep on sale Unitarian, and even infidel books? The lecturer did his work without pay, but the bookseller carries on his trade for the purpose of honorable and private gain. No, sir, you cannot adjudicate on a question of this kind. It is a gross invasion of a private right to undertake to do so. So much for the act which this specification sets forth as an offense.

How is it with the saying? Prof. Swing is arraigned for saying that the Gospel is "a mode of virtue." Well, is not that a good definition of the Gospel on its practical side? It certainly is not a mode of vice. The language does not refer to the Gospel in the abstract, or as a system of doctrines received by the understanding, but it sets forth the Gospel by its fruits. It declares that the effect of the Gospel is to make men virtuous, to lead them to holiness, and to prepare them for a better life hereafter. When, therefore, the prosecutor criticises and carps at this language, as if there were no natural, nor even possible explanation of it which would make it accord with evangelical teaching, the presumption is at least a fair one, that *he* believes in a salvation that is divorced from morals.

Mr. Moderator.—I am very sorry to ask for an adjournment, but weakened as I have been by illness, I feel unable to go on.

At this point the Presbytery adjourned, with prayer, to meet Friday, May 15th, at 2 P. M.

FRIDAY, May 15, 1874.

The Presbytery met at 2 o'clock P. M. and was opened with prayer. The order of business was to hear the counsel for the defense continue his argument. But at this point Prof. Swing was accorded the privilege of speaking in his own defense.

ARGUMENT OF THE DEFENDANT.

MR. MODERATOR: It was the understanding among my brethren that the burden of this matter should not fall upon me, both on account of my ill health and distaste for it, and up to this morning I supposed I should have nothing to say; but my counsel also, having very poor health to-day, I have thought it best to assist him this afternoon by speaking before you for the space of perhaps an hour, and touching upon some of the points which, perhaps, I could more easily explain than he could himself. I know not what may be the etiquette of the case. I hope the prosecutor will consider it as no breach of etiquette. I do not know the exact duties of the prisoner at the bar, but would state that the ground I will pass over will not be passed over by Brother Noyes, and thus time will be saved,—at least not lost by our both speaking.

I thought it would be my pleasure to fulfill the words of Lucretius, "that it is the province of some to sit upon the calm mountain summit and see the poor sailors struggling and toiling in the storm and waves beneath;" but the illness of my counsel

has disturbed my repose, and has compelled me to go down into this battle-field. I shall, I hope, not be compelled to go beyond the skirmish line, for the sound of war always frightens me, especially when the war is waged for conquest, or for the extension of slavery beyond its present limits. As some statesman said he would not want to tell a lie for anything less than an empire, so it does not seem desirable to go into a theological fight where the price of victory or the pain of defeat is exceedingly small. Xenophon says of Clearchus that, notwithstanding his bright armor and royal robes, yet, when the baggage wagons got entangled or stalled, he would put his own shoulder to the wheel, going himself into the mud. The theological baggage wagons upon my side of the house are blockaded to-day, and, like the old general—willingly I descend into the mud. Let me ask your attention to Stuart Mill. When he died, our statesmen had just been breaking their hearts over the pursuit of presidential honors. Greeley and Chase had both died of grief over lost honors. In such an hour I thought it a piece of good fortune that I could hold up before the public a name that found sufficient honor and sufficient object of life in greatness of personal character. And hence I said:

"If it were not for such men as Mr. Mill coming here and there in human life, we might fail to know what that thing called soul is. I do not know where, in the public men of our land, we can see so well the picture of human dignity. Swayed out of balance by a love of office and gold, disturbed by a storm of bad passions, our public men reveal the soul, not in its nobleness, but in some shape that begs for pity and forgiveness.

"Our great men are all said to die disappointed, and half broken-hearted, because they fail to catch a four-year bauble from the tumultuous crowd. To run for president, and then die in glory or in cloud, according to the counting of the votes, has become a brief history of some of our greatest men. It is a sad remembrance of Mr. Greeley and Mr. Chase, that their failure to reach a great office turned their days into a winter of discontent.

"All over our land, it seems to be forgotten that a human soul may be something to which no office can add anything, and from which no political defeat can take anything away.

"God has in no way connected human greatness with a ballot box.

> 'The boast of heraldry, the pomp of power,
> And all that rank and fortune ever gave
> Await alike the inevitable hour;
> The path of glory leads but to the grave.'

"From such a scene, it is sweet to turn to a man who might have honored any office, but whom no office could have honored. Nothing lasting for four years could have added to a soul great before the four years and great afterward. Mr. Mill could scarcely have known when an earthly honor came to his forehead, or when it departed. Like Marcus Aurelius, whose laurels of virtue were greater than the throne of the Roman empire, Mr. Mill's own forehead was nobler in itself than it could have been rendered by all the political wreaths of his generation.

"True greatness never reveals nor cherishes much ambition, for the gift of mind and the possession of a profound character leave little for the soul to wish or for earth to care for. Hence in the blessed life of the Saviour we perceive no trace of popular ambition, but everywhere simple greatness of spirit, as if that were the supreme destiny of rational being.

"Oh, what an era would begin in our land, if, instead of waiting for something outside of self to come to us and honor us, our citizens should unfold the glory within them, as a flower sends forth beauty and perfume from its own opening heart."

And then, this was the chief point: that the glory of such a mind and of such a philosophy as Mill possessed came to him through Christianity; for I said, though Mr. Mill was not a Christian, yet Christianity had always been all around him and had forced into him every virtue he possessed; had given him the entire character of the nineteenth century; just as Lady Hester Stanhope, flying to the south land to escape England, carried with her everywhere the English customs and English thought. So Stuart Mill, though an atheist, carried, in all his thoughts and in all his life, every germ of Christianity except his personal belief.

Mill's character was all wrought out in a Christian atmosphere although his father vainly tried to shield the child from the influence of the great religion of Jesus Christ —tried in vain. And then I said what a

liberal world need regret most was, not that he was not a Presbyterian or a Methodist, but that the poor unfortunate man had no trace of any kind of religion in his soul. We would have been thankful if he had had any religion in his heart.

Now, while I was thus dealing with Stuart Mill, what was my prosecutor doing? Had he called together two thousand to tell you how Stuart Mill had been sent to perdition from all eternity? Was he faithful as a great public man to his trust? That is a matter of opinion. But it is my impression that he was praising Agassiz, not because he had an orthodox creed (Oh! no, that was not what his liberal world rejoiced over), but he was rejoicing because, upon some occasion, the great naturalist had acknowledged a Supreme Being, and just barely escaped being an atheist. And did the prosecution avail himself of Agassiz's death to preach at McVicker's that a prayer is only offensive to God unless it be connected with a belief in the Deity, or expiatory atonement of Christ. Did he rise to the greatness of the occasion and inform the community that there was no hope for Agassiz's soul? Did he come forward with his ordination vows upon him and hand over Agassiz to perdition in the following language from the confession of faith: "Much less can men, not professing the Christian religion, be saved in any other way whatsoever, be they ever so diligent to frame their lives according to the light of nature, and the law of that religion they profess; and to assert and maintain that they may is very pernicious, and to be detested."

And yet, in his paper, that went to fourteen thousand families as he claims, he held up Agassiz as a Christian and scientific man.

Let us pass to a second offense alleged by the prosecutor: "We know not what nor where is our God, our heaven." This sermon was preached to show the reason why the religious world had always been full of debate. It came partly from the fact that moral ideas have no such evidences as are enjoyed by mathematical ideas. There has never been one set of men to hold that twice two make four, and another set to hold that twice two make five, because these ideas are fixed. But there has been one set of men to hold to the theory of an expiatory atonement and another to hold to the theory of a propitiatory atonement because men have no slate and pencil by which to fix these ideas beyond all debate, no pyramid upon which to measure these things. The prosecutor had pounded the confession of faith and declared that he had a standard. But, unfortunately, the whole religious world are not Presbyterians, and unfortunately these Presbyterians, who are here to-day, do not understand it alike.

Therefore we do not mathematically know what our God is, and we are not called upon exactly to know. You do not know it as you know that two and two are four or that they are not five; and hence the debates and discords, just such as have gathered us here to-day.

But the prosecutor has not arraigned me only for this dreadful idea that we do not know mathematically about our God. He has not arraigned me alone.

If the Holy Spirit was so unfortunate as to furnish poor me with such a text as that of the sermon "Clouds and darkness are round about Him," the prosecutor knows where to lay his charges and specifications in this particular. It is intimated in Job that no one by searching can find out God, and hence when the presbytery shall pass sentence upon me I shall insist upon their making Job and the 97th psalm *particeps criminis* in this case —and if, in such good company as Job and the Psalmist, I should not much fear the prosecutor of this charge, he need not be much surprised. I will anticipate the reply of the prosecutor. I will not wait for him to rise to explain. He will plead that the Bible was written before the confession of faith and that the Psalmist was in doubt about the nature of God and that Paul shrank before the mystery of heaven, saying "eye hath not seen, nor ear heard," because they lived before the Westminster confession had been formulated at Westminster, and expounded at Chicago. In the revised editions of the Bible, when readers shall come upon my text, "Clouds and darkness are round about him," they will no doubt see a marginal reference, "for refutation of this idea see Prof. Patton's charges and specifications."

But to be serious again. Professor Patton points to the Confession of Faith and reads: "God is a spirit." Well, does the prosecutor know what a spirit is? It is to be hoped he will elucidate this point and also tell us where heaven is, for he will not be so unkind as to arraign a brother for want of information when he himself possesses it and refuses to deliver it to me and the presbytery. A

young man stepped up to a clergyman east and asked him if it was possible to know all about God. The clergyman, who was "a queer fellow," as Trowbridge says, replied that personally he had no such knowledge, but that there was a man out in Minnesota who knew him. Well, now, brethren, if we have this information at some point nearer than Minnesota, it ought to be forthcoming—and free to all.

Let us pass to another idea that has perplexed the prosecutor: "This multitude measures a great revelation of God above that day when earth possessed but one man or family, and that one without language, and without learning, and without virtue." "In the first human family God could no more display His perfections than a musician like Mozart could unfold his genius to an infant or to a South Sea islander." Now the meaning of that passage is this: I know not how he may understand it, but the sermon was upon the days that are past." "Ask, now, the days that are past. Look into history——" and I found, in looking into history, that the glory of God unfolds itself as the human race advances. "The 6,000 years past are the great unfolding of the Almighty: not in the Darwinian sense, nor in the Spencerian sense, but in the Christian sense. Adam, however innocent, and however beautiful in his character, and I believe he was both innocent and beautiful, had no cities, no arts, no eloquence, no poetry, no cross of Jesus Christ, no benevolence, no charity for the multitude. Hence God no more unfolded his perfections in Adam than Mozart or Beethoven could make known their vast realm of music to an infant or a savage. It is the grand opening up of the world that gives us the glory of God: the manifold glory of God. The many-pictured glory of God is all thrown forward and made visible by this ever-unfolding earth, and from the very moment God created Adam his own glory went marching forward with continual increase."

If the prosecutor knew the meaning of the illustration, he would know that this language did not imply that Adam was either an infant or a savage. It simply means that God's glory is too large a spectacle to be cast upon Adam alone. All the 6,000 years of humanity combined together to reveal this wisdom, and power, and grace, and manifold glory of God. Why, the prosecutor has taken the cross of Jesus Christ out of the world, and has the world just as great in Adam alone as it is in the whole human race.

And then I went on to illustrate, or to apply this thought: "So each individual cannot gather up the glory of his life in any one year. It must lie all over his past. It is all his past he must drag along after him, and if he has for fifty years fed the poor and blessed them like a Saviour, or if he has cared for the slave like a Wilberforce all his life, or preached like a Paul or a Wesley all his life, he will go into futurity with all this record back of him." And here the Bible must be arraigned, for it says "their works do follow them" and the converse was shown to be true, that if a human soul spent life in seeking gold only, or in seeking wicked pleasures, or in buying and selling slaves or even in persecuting heretics, that long life thus spent would come dragging after the soul into eternity. And I said that "no man can go to heaven gloriously unless he can look sweetly back." If this be heresy, Mr. Moderator, write me down as a heretic, and make the letters large and plain. Why, even old Livy said, "You must keep continually looking at the past, because," he says, "things that are past may be repented of, but they never can be erased." And one of our own poets says: "To-morrow you may do your worst, for I lived yesterday." And old Martial says: "Did'st thou say thou wilt live to-morrow? He is a wise man who lived yesterday." To-day is the sublime part of life, because it is continually making that yesterday which will always follow us, go where we may, for glory or for shame. And hence, I rebuked the young people present for always living in the future, and paying no attention to the past. And I quoted from Dryden to them, saying:

> "Trust on and think the morrow will repay;
> The morrow's falser than the former day;
> Lies worse, and while it says you shall be blest,
> Steals all the pleasures that you once possessed."

Let us come now to the dear Penelope and Socrates. My brethren, you must excuse me for treating this case with something like levity, for it has not in it to me one particle of solemnity.

Now that sermon was all regarding the value of being above saying or seeming. It was on Soul Culture. The idea was that the value of life has not in what creed one says

over and over, but in what creed one lives. And hence I said: "A soul with a defective creed may be higher and may be nobler than a soul which knows more but which disregards all its precepts"—an idea I have heard all my life in the Presbyterian church.

Dr. MacMaster, whom the prosecutor succeeds, legally and chronologically, said that he believed that "somewhere on the confines of heaven would be found Socrates and Penelope." And I think our general assembly, a few years ago, offered a premium to some one who would produce the best tract upon the condition of the heathen in the future world; and Dr. Smythe, of South Carolina, who took the prize, said, "All those heathen who live up to the light of their best knowledge might hope for happiness beyond."

I did not say how great was the happiness of Penelope or Socrates. But the prosecutor has unwittingly arraigned Jesus Christ. I fear my zealous friend or enemy, friend I guess, does not read his Bible as much as he does his Confession of Faith. But, no wonder, for he says: "We must guard against too great attachment to scripture phraseology, and must wait to have our religion well formulated." Regarding Socrates and Penelope we shall now read from the words of Christ. Did you know He has sproken of them? He has. "Woe! unto thee, Chorasin (Catherine II.), for it shall be more tolerable for Tyre and Sidon (Socrates and Penelope) in the day of judgment than for thee." Now we again anticipate the objection of the prosecutor. He will say this scripture was announced before the Confession was formulated,—and that my ordination vows were upon me. Well, in subsequent editions of the Bible, readers will find a marginal reference upon this passage from Christ, "For refutation of this passage about Tyre and Sidon, see Prof. Patton on Socrates and Penelope, and Con. Faith, chap. 10, sec. 24. But let us pass to other things. The learned prosecutor, after unfolding to you the evolution theory of Spencer and others, says, as usual, Mr. Swing holds these, and yet I am, I believe, the only Chicago minister who has published a sermon, in part, against that theory. While the prosecutor was proving the divinity or deity of Christ, I don't know which, from the date anno Domini, claiming that no nation would reckon its years from anything less than a God, while he was thus teaching the divine origin of Mahommed and of the Olympiads of Greece, and of Romulus and Remus, I was on the same Sunday trying to overthrow the Spencerian calculations. Here is what I said: "It is not, certainly, a myth that there is a human race; and hence, there must have been a first pair in this long series, and this first pair must have had a first home and a creator just at hand; and this pair must have made their first move in virtue or sin; and from what sin we now see in the world, not much doubt can remain as to what line of conduct this first pair followed, and that they early left a paradise of virtue is the verdict of history. The theory most in conflict with this Bible picture of primitive man is the almost popular notion that man is a gradual result of progress in the animal kingdom, and never had a paradise, but is on the way toward one, from a cellular and electric starting point a million years back. Against this theory, however, rises up the fact that in the thousands of years of history no animal is showing the least sign of passing over into that moral consciousness, that self-hood which so wonderfully distinguishes man. The highest order of brutes are doing absolutely nothing toward forming a language or toward reaching that consciousness of 'me' and 'not me,' which joins man to the divine; there is no effort visible on the part of the most intelligent *quadrumana* to build a school-house or start a country newspaper; and if in the historic period no progress whatever has been made, and that, too, with the advantage of human association, what could they have done in two historic periods? If 6,000 years give nothing, what will 6,000,000 years give? The best reason I can myself bring to bear upon this matter leads me to see man setting forth as man and setting forth from a creator; hence he had a place which we may call Eden, and lowly reason may join the Bible in giving it river banks and trees and flowers and the song of birds."

The prosecutor has read my sermons tolerably well only. Let us pass now to the 109th psalm. I am very glad to see that this matter has at last been put to rest. The prosecutor has wholly given up all that he claimed here. It was my theory, you know, that this was a special psalm. No part of the perpetual hymnology of the world, not inspired for all times, like the 23d psalm or the 90th. My theory was that it was an adaptation to a military age, when the church advanced, not by persuading its enemies but by extermin-

ating them; a psalm dictated by the Almighty for an age a hundred or five hundred years or more, and that Christ has announced the perpetual law of life, the everlasting law of life, when He has said that you shall pray for your enemies and bless them that persecute you and despitefully use you.

My point was that, as Christ repealed a divorce law which was divinely given for a certain period only, so He did, by His person, repeal also a psalm full of curses and took it away from the everlasting hymnology of life; that the same God who passed a bad divorce law, could inspire a bad psalm also, and that when He recalled the one, He could recall the other. And though I may be mistaken, yet my principle is founded right on the inspiration of the Bible.

But this idea the prosecutor has at last given up, that it was a perpetual psalm, for he says now that the 109th psalm was written as a curse upon Judas Iscariot.

This is all I want. Only his theory is narrower than mine, for my theory was that it was used by the Jews as a military hymn for hundreds of years, and then, by divine command, applied also to Judas Iscariot. But if the prosecutor tells us that it was even too bad for the Jewish people to sing, and that it lay dormant a thousand years waiting for a great traitor like Judas to come before the psalm should spring into life, I have not in my heart any reason to object. And Judas being now dead, the psalm has been abrogated from Christian hymnology, I trust,—expired by limitation—if Judas is confessed by the prosecutor to be dead.

I know not whether anyone needs a word with regard to those Hebrew wars, but I will make a remark or two regarding them. My position all along has been this: That God in the Bible revealed two forms of His will; that in some parts of the Bible He expresses Himself absolutely, as in the Sermon upon the Mount. He there announces everlasting principles for all the human race everywhere, but that in other parts of the Old Testament God accepts of a temporary kind of morality, and that God was everywhere influenced by the presence of man, and was not promulging His own abstract wish, but was everywhere accommodating Himself to the presence of a sinful race; and hence, all through the Old Testament, it is not God alone that is marching along—it is God and a wicked race. And hence, when he permitted or ordered the Israelites to go up and destroy the Canaanites, it was not God acting absolutely and announcing a great principle of action, but it was God acting under the influence of the presence of those wicked Israelites; not inventing those wars or evolving them from His divine mind, but permitting them, tolerating them, just as He did the old divorce law and all the wickedness of that era.

This is my position on that point. But when Christ came to the New Testament, there He announces an era of peace—everlasting peace. He began to unfold Himself, not as a Deity restricted by the presence of sinful man, but as a Deity all glorious in his own right, and in His own name unfolding the everlasting in Jesus Christ. I hope I am theologian enough to understand this, and hence I said that young men are coming along now who want to know about these things; and they all know what infidels say. They all know what Mr. Froude has said about the 109th psalm, and hence they want a theory to be handed them by our theological professors and our clergymen which will save them from the infidelity of Froude and men of that class. Here, the prosecutor says, I indorse Froude. This is simply nonsense. What I plead for is, that men of learning like Prof. Patton, having his high position, shall elaborate some theory of revelation that a young man can take to his heart, and not say, when some one asks him, "What about the 109th psalm," "You go and mind your business, young man; that is inspired!" That is what I call the theory of admiration. A young man comes to him and says: "What about those bloody wars where the Israelites went out and destroyed the Canaanites, men, women and children?" and he replies, "Young man, the Bible is inspired. It is the Word of God." Now is not that horrible? That makes infidels—covers the world with infidels. And yet, there is an explanation of all the difficulties of the Old Testament, which it is the duty of every clergyman having the vows of Jesus Christ upon him to unfold to the young man of this age and crush Froude to powder beneath their logic—not their malice.

Then I observe, too, when it came time to build the temple, God would not let David build the temple at all, because he had made his hands so bloody in those wars. It seems that God Himself did not like those wars,

and He let Solomon build the temple, because He wanted a man of peace to build it, whose hands were not stained with blood.

Now, Mr. Moderator and brethren, I come to the place where I shall point out to you the difference between the prosecutor's theology and my own, in some respects. And as he justly quoted, yesterday, the aphorism from Newman's "Grammar of Assent," that there are times when "egotism is modesty," I shall repeat it here, because I do not wish to pretend that anybody holds the views I shall express here besides myself. I shall not pretend that they are accepted or welcome in the whole presbytery. They may be a weakness, and hence to stand by them alone is an egotism that is modesty. The remarks about to be offered will explain my position as to faith and infidelity and to Old Testament inspiration and to the call for the ministry. My idea is this: Prof. Patton's theology all proceeds from God as a simple despot. Mine from God as a reasonable being. By Prof. Patton's theology, I do not mean the Presbyterian theology, or the Calvinistic theology, it is infinitely worse than both,—but I mean his own personal theology, as he has unfolded it since he came to this city, and, latterly, in this trial. One of the eighteenth century philosophers said the universe is an enormous will rushing into life. The theology of the prosecutor of this case is nothing but the picture of an enormous power rushing into a moral world. It is power; it is force. You dare not subject his Deity to any question whatever. As Luther said, "It is the glory of human faith to suppose God to be just when he damns the innocent."

So the theology of my friend is one that does nothing but look down to earth and say, "God! God!" As though God could not be thought about, or prayed to, or spoken to. But who this God is, how He acts, upon what basis, he dares not inquire, because it would be "rationalism" if he did—he so fears rationalism. When, therefore, a young man comes to this form of theology and humbly inquires about the slaughter of the Canaanites, or the 109th psalm, and says, "How shall I answer Mr. Froude and show him and all the bold infidels that my church is a sensible, reasonable church?" the answer is, "Go, young man, and tell Froude that he was foreordained to be damned! Go! and if you raise such an inquiry again you will soon be in a similar condition."

Now, I hope I do his theology no injustice —I have studied it well and thought over it. This is his method with regard to the inspiration of the Old Testament. So with salvation by faith. You dare not ask what faith is. Whether it is a natural or moral excellence that has induced God to crown it with such glory in the New Testament, in the Christian religion. Any inquiry on this point is *rationalism*. It is your business to believe, and there terminates your inquiry. I have read it all over, and read it long.

Now, on the opposite. I believe a theology which not only believes that God is a sovereign, but that he is a reasonable sovereign, and that beneath all his commands there will, for the most part, be some beautiful reason visible, ever unfolding itself. Faith, therefore, is clothed with judicial worth, because it possesses such an intrinsic worth in the mind and in the heart, such power to carry the mind forward, to cheer up the heart in dark hours, and to transform us into the likeness of Jesus Christ, looking out and seeing this faith we had. He saw it had the power to take the whole world into its arms and all remodel it; therefore He said, "By faith ye shall be saved." He did not go forth as a tyrant or as a despot, but as a reasonable loving Father of us all.

God has pronounced intemperance to be a curse. No drunkards shall inherit the kingdom. This being announced, all the scientific men go to work and find a reason for this curse. It is a judicial act, and hence they seek a reason. They seek it in the mind, in the blood, in the burnt-up coatings of the stomach, in the inflamed brain, in the loss of money, in the loss of mind, in the ruin of the wife and the children. Yes, God having said "The intemperate man shall be banished," men look into this intemperance to find the reason of this banishment. But when God pronounces the woe upon the infidel, you must not inquire about the natural drift of this infidelity. That is rationalism! You dare not ask whether it wages any war in the soul as intemperance does in the body; whether it closes the gate of a moral sense and shuts out a world from the heart; whether it shuts out Christ and heaven from the soul; whether it be a natural damnation like intemperance as well as a judicial one. Oh! no. If you do this, you will be arraigned before the presbytery for not regarding your ordination vows.

Well, brethren, if my ordination vows impose upon me any obligation to live a life of ignorance and stupidity, destitute of all inquiry, the sooner you relieve me of these ordination vows the better.

The fact that intemperance injures men by God's decree does not debar me from looking into the natural operation of that intemperance; and the fact that God saves a soul by faith, and condemns a soul for infidelity, does not debar me from looking into the natural quality of that belief and that unbelief. But, according to the theology of the prosecutor, infidelity may be a virtue, for all I know, and faith may be a vice. All he knows is that God denied the one and commanded the other. And there he stops. His theology always terminates with the fact. It dare not ever ask a single question. It is just "Believe and be saved. Believe not and be damned." That is all there is of it. Hence, I say his God has marched right through his theology as a force only. He has no sweet reasonableness, but is only an enormous will rushing out like a hurricane to the fields of His own dear children, trampling alike over their cradle and their grave.

Now I am as firm a believer in salvation by faith as the prosecutor in this case, only his faith is but a despotic command from the Almighty, mine, I feel, is from a God, all-wise, unfolding His wisdom to His children. Hence my faith is one clothed not only with good works, but clothed with sense.

This dreadful hostility to reason has robbed Prof. Patton of almost the entire world, apart from his little narrow church world.

To say that man was a religious being before Christianity, and that religion was not forced upon man as it might be forced upon the brute world; that it was demanded by man's nature, and was a flower that came naturally right up out of his heart, is something that greatly angers him. Religion is something born right out of the heart because man saw before him a heaven to be gained and a hell to be shunned. He was a moral creature. Prof. Patton, in his own inaugural, says a "man is religious at bottom." He ought to have made the sentence end in "religious" and put the "at bottom" in the beginning. But that is a small matter.

He says there is no fitness, that we know of, naturally, between the soul and Christianity. God came in the days of Christ and planted Christianity because He wanted to. The time had come for doing it. There was nothing in man to suggest any such kindness. There was nothing in the human family to render natural such a gift from God. The gift of Christianity to the world was just like giving speech to a corpse, or giving wings to a clod, a pure act of omnipotence. Thus, in the theology of our friend, on the opposite, you will perceive nothing but an enormous will that explains nothing. It is a great fore-ordaining power, destitute alike of intelligence and humanity.

By pondering this over, you will find what the New School theology is. And furthermore, it would seem that this enormous will does not touch the world anywhere between Adam and Christ—anywhere, scarcely: for when I attempted to show that God laid the foundations of the Christian ministry when He made man, and that, as He set Moses apart for a law-giver, and Aaron apart for a white-robed priest, and He set David apart for a king, and Daniel apart to be a prophet, and thus, in the deeply religious nature of His children laid the foundations of the Christian ministry, for that differentiation of man which Christ afterward so reinforced with the truth of His gospel and the power of His cross, our prosecutor absolutely arraigns me and says the ministry began at year one Anno Domini, and refers me to his Confession of Faith.

The Christian ministry, or the ministry, began at the advent. That is, in his theology, after 4,000 years had passed—after tens of thousands of ministers of God's own religion had ministered at the altars, from Abel to Samuel, and from Samuel to the very day of Christ, then God came and withdrew the ministry, not on account of any custom of his church or of mankind; not on account of any desirableness in the office that there should be a division of labor; not for any reason whatever, visible or invisible, but just because this great Being, which the prosecutor supposes to be God, so desired—God so wanted it. That is all. God so compassed the situation, and so concluded and so ordained.

This is the theology that makes infidels. Thus God is separated from all those four thousand years between Christ and Adam, and is waked up, at last, from a long neglect, and concludes to found a religious ministry.

Now, although the prosecutor made the accused out to be an infidel, a Brahmin, and

an Evolutionist, and a Sabellian, and a Unitarian, yet the "accused," with all these faults upon him, can show to this court a better view of Providence, a more universal, a more careful and delightful Heavenly Father than the prosecutor can present.

The God of my friend seems only to come to this world once in a while, and then as a clap of thunder strikes it, and then withdraws again for a thousand years.

His Creator came suddenly, and laid down Christianity as though in a night. He had not been preparing for it at all in those four thousand years. He suddenly invented the ministry also, and introduced it for the first time at the advent of the Saviour. "See Confession of Faith," he says—whereas my Providence has been holding and building up that ministry for six thousand years, right along, without any intermission—no rest. When he gave man a religious nature, when he placed heaven and hell before him, and when he called the sons of Levi to the altar, and decorated them in white, spotless robes, this Providence, which I believe in, had been all along, from the earliest morning of earth, right close by His people building up this holy ministry, in whose name we came here to-day, I trust.

And now, coming to our century, the prosecutor holds to the idea of an imperfect Providence, and then, for the most part, coming to his church.

His own witnesses here, Mr. Goudy and Mr. Miller, join with him in separating God from such beings as Lincoln and Washington, and indeed from all the human marching host, and in employing God only in looking up young men for theological seminaries in our own church, thus giving us the world of the atheist, except so far as the church is concerned. But in the theology of our friend, if theology that can be called which has everything in it except God, the providence of the Almighty must undergo a still more painful limitation. I do not mean he is conscious of this, I am speaking only of his theology.

We know this: That the prosecutor will deny that God could call any heterodox clergyman to the pulpit. The advantage of having the Deity to superintend this work must lie in his supreme opportunity for knowing the true theology and the pure heart. Hence, we cannot suppose God calls a heterodox minister to the pulpit. Hence all heterodox clergymen must be set aside from the care of God's special providence. If in the ministry, they must come in only as Sumner came to his office, or Wilberforce to his.

So the professor has limited God's special providence, to only the orthodox clergy; and when he proved not long ago, in his paper, that he who rejects infant baptism, is not orthodox, you see how he is limiting the care of God in this direction. And thus we must cast away from God's special love and call all those who hold not our standards.

And then, furthermore, he excludes all elders as having never been called to this holy work; excluding such men as Geo. H. Stuart, and J. V. Farwell; and all women such as Miss Smiley; and all revivalists such as Moody, for I believe he is not an ordained minister. And thus we have him narrowing down the providence of God, until we find, in looking around here and there, a few clergymen left in Zion's great church to be chosen by the Almighty. My friends, when I look upon such men as Sumner and Burke and William Wirt and Wilberforce, and feel that they came into being only by an ordinary providence or else through God's neglect, because those elders did not know whether Mr. Lincoln was called or not,—he came, perhaps, by God's neglect,—and when I look upon some clergymen, and am told that these clergymen came by some miraculous method, let us pray that God may return to an ordinary providence hereafter.

Now, my brethren, I have but two remarks to make, and one is this: The prosecutor called your attention to Penelope, who in the daytime wove her woof and in the night time unraveled it. I thank him for thus recalling this, for it has been several years since I have read the Odyssey. He is the greatest Penelope of all in this matter, for whereas, my brethren, on one day he proved to you, in a whole day's long argument, that I did not believe in hell, he yesterday showed you that I held a religion without hope—a religion of good works, he said. Where can you find hope in that. Now when you come to condemn me I don't want you to condemn me for holding both a religion without hell and without hope. Take one or the other. Again he proved to you, by a long argument, that a Sabellian is a man, who fully identifies Jesus Christ with

God. The truth is, a Sabellian is, *par excellence*, a believer in the deity of Jesus Christ. In the theology of Sabellians, Jesus Christ is nothing else than the Great Father, having for the moment become the Mediator, and for the moment having become the Holy Spirit. Thus the theory of Sabellius is the theory above all others that makes Jesus Christ the very God. Having toiled all that day to show that I was a Sabellian, he toiled all the next day to show that I was a Unitarian—that religion which of all others separates Jesus Christ from God.

And now, my brethren, I want you, when you come to make up your verdict, not to make me both of these characters. I could bear it to be either, perhaps, but I could not bear to be both.

After Prof. Swing had concluded his remarks, his counsel resumed his argument.

ARGUMENT OF THE COUNSEL FOR THE DEFENDANT.

(*Continued.*)

Mr. Moderator.—When I felt compelled, on yesterday afternoon, to ask for an adjournment, being unable to proceed further with my remarks, it will be remembered that I had reached and spoken upon the third specification in this indictment. Without undertaking this afternoon, to go over these specifications in their order, I shall ask attention, first, in the remarks that I may be able to offer, to the fifth specification, which asserts that the defendant in this case omits to preach the doctrines commonly called evangelical. I will read the specification.

Being a minister of the Presbyterian Church, and preaching regularly to the Fourth Presbyterian Church of this city, he has omitted to preach, in his sermons, the doctrines commonly known as evangelical—that is to say, in particular, he omits to preach or teach one or more of the doctrines indicated in the following statements of Scripture, namely, that Christ is a "propitiation for our sins," that we have "redemption through His blood," that we are "justified by faith," that "there is no other name under heaven given among men whereby we may be saved." That Jesus is "equal with God," and is "God manifest in the flesh?" that "all Scripture is given by inspiration of God," and that "the wicked shall go away into everlasting punishment.

To say that a minister in the Presbyterian Church omits to preach or teach the doctrines that are there set forth, is, as you will all agree, to bring a very serious accusation against him; and if I supposed that the defendant in this case were guilty of the things alleged in this specification, I certainly should not be standing here to-day to undertake to plead his cause, or to correct gross mistakes and misrepresentations concerning the views which he holds and teaches. It is only because I believe and know and can prove, that the doctrines which are here set forth in Scriptural phrases, *are* preached and taught by him, that I am not only willing, but count it a privilege and an honor, to stand here and plead his cause before you. This specification, as you have already heard, asserts that the defendant omits to preach these doctrines. If we are to understand by this that he omits, or fails, to teach these doctrines, by way of making set and formal discourses upon each of them, I readily admit that that is true, so far as concerns the documentary evidence which is before this court; but if the specification means that Prof. Swing has not interwoven all these subjects into his sermons, and taught the truth concerning them; then the charge is utterly denied; and by the testimony which has already been spread out before this court, from the lips of living witnesses, that charge, so defined, has been proved to be baseless; and, as I shall be able presently to show, can be abundantly proved to be baseless from the very sermons, garbled portions of which have been read in your hearing, and by which the prosecutor has attempted to prove that Prof. Swing does not teach these doctrines.

The prosecutor in all his arguments seems to have gone upon the supposition that Prof. Swing's language, is the language of heretics; unless we grant him the benefit of the assumption that he is a Presbyterian. Well, I think the most of the members of this court will be ready at the outset to grant him the poor benefit of such an assumption, namely that he is a Presbyterian. I think that that assumption will be permitted to stand until it is clearly demonstrated that it is not true. Surely the respondent has a right to this assumption.

One of the prosecutor's modes of argument would seem to indicate that he had perceived the weakness of his cause. At the ou set he made the term "Evangelical" a test word. He assumes in specification seventeenth that the *evangelical* sense of terms is the standard by

which to judge the language of the defendant in this case. The language is assumed also in specifications fourth and fifth. Let me read specification seventeenth: "In the sermons aforesaid, he employs the words used to indicate the doctrines of the Bible in an unscriptural sense, and in a sense different from that in which they are used by the evangelical churches in general, and the Presbyterian church in particular; that is to say, that he so uses such words as "regeneration," "conversion," "repentance," "Divine," "justification," "new heart," "salvation," "Saviour." Without stopping to object to the *form* of this specification further than to refer to the principles which I stated on yesterday, I shall ask you presently to consider how much basis there is for making such assertions as are here put forth concerning the defendant. I ask you to notice that concerning this specification, and specifications like to this which may be found in this indictment, the defendant meets the prosecutor on his own ground. In proof of this, I refer you to Prof. Swing's language, found in his Declaration, page 313, New Edition Truths for To-Day He there says: "I admit the extracts from sermons and writings, but I would ask the Presbytery to consider the entire essays"—which we propose to do—"or whole discourses from which the extracts are made. I avow myself to be what, before the late union, was styled a New School Presbyterian, and *deny myself to have come into conflict with any of the Evangelical Calvinistic doctrines* of the denomination with which I am connected."

Let me in this connection also, while I am reading from this declaration, call your attention to what Prof. Swing says with reference to the charge that has been continually made against him in the course of the prosecutor's argument—that he is a Unitarian.

On page 315, I read:

The names of Channing and Elliott, and Huntington and Peabody, in the pulpits of that sect, and the Christ-like lives of thousands in the congregations of that denomination, utterly exclude from my mind and my heart the most remote idea that in showing that brotherhood any kindness, I am offering indirect approval to persons outside the pale of the Christian religion and hope. It may be assumed that God grants the world salvation only.

And I ask the attention of the Presbytery to these words: *Only on account of the expiatory atonement made by a Redeemer*, but that God will grant this salvation to only those who fully apprehend this fact, is an idea not to be entertained for an instant, for this would give Heaven only to philosophers, and indeed, only to those of this small class who shall have made no intellectual mistake. Looking upon the multitudes who need this salvation, and seeing that they are composed of common men, women and children, who know nothing of the distinctions of formal theology, we cannot but conclude that paradise is not to be a reward of scholarship, but of a *loving, obedient faith in Jesus Christ.*

That, it would seem, ought to satisfy the mind of the prosecutor upon this point. But it does not satisfy him. Seeing that his *original* demand is met, he shifts his ground which is his test. He throws the evangelical sense entirely aside. Then he attempts to show that the evangelical terms employed by the respondent are also used by Unitarians, Universalists, Arminians, and so on. He declares that these terms are used by them when they speak with reference to the same subjects, and hence the prosecutor leaps to the conclusion that therefore Prof. Swing is a Unitarian. In this way, he would make the accused not a Unitarian only, but a Universalist, à Romanist, an Arminian, a moral influence theorist, and whatever else one may be, who is so unfortunate as to use *evangelical* phrases. By this method, we might, with perfect propriety, classify the inspired prophets with heretics. By this method, who of all the ministers of this body, or of any other Presbytery in the church to which we belong, who of them all could stand? But after he has removed his own test, that of the evangelical sense proposed by himself in the charges which he has drawn, and which he has presented here, and on which the defendant is arraigned; after he has removed this test, because it would seem that he himself saw that he had lost his case by it, what does he next do? What is the next great feat in logic, which we are called upon to witness and admire? He assumes that the accused *must use* certain technical terms, manufactured expressly by him, such as, "The Deity of Christ;" "Christ is God;" terms which are not in the Bible, which are not in the Confession of Faith, and which are rarely used, as I venture to say, by the ministers of this body. If the accused speaks of inspiration or regeneration, and a new heart, and the like, this will not answer, even though the defendant declares, as he has distinctly declared before this body, that he uses these

old Bible terms in their evangelical sense. In our innocence we have supposed that Bible preaching was Gospel preaching. but evidently it is not so, according to the argument that we have heard in this court It is heretical, it is Unitarianism, unless indeed the preacher shall use these phrases which the prosecutor insists shall be the test words by which to ascertain the orthodoxy or heterodoxy of a Presbyterian minister. He insists upon these terms, and these terms are not found in the Bible. Hence the Bible is a Unitarian book! Well may the Unitarians thank the prosecutor for coming to their help in his plea by declaring that they use evangelical terms. Now, if they will only adopt Prof. Patton's *new* terms, as some of them probably would have no hesitation or difficulty in doing, they may claim him as in agreement with them. How, then, would this logic sound? Prof. Patton speaks of the Deity of Christ. Sabellius believed in the Deity of Christ, therefore Prof. Patton is a Sabellian. This is the logic, precisely this, which he applies to Prof. Swing. Again the prosecutor comments on certain language of the respondent as if he understood it perfectly, without any possibility of mistake or error. *He* can see heresy in it. There is no doubt in his mind that it is there; but still, conscious that he is torturing that language, and perhaps having his pity awakened as he sees it writhe in his logical machine, and anticipating also, the evangelical sense which we may put upon it, he takes another turn and appears before this body in the character of one who cannot understand the language at all. Now, I submit that the fact that the prosecutor does not understand certain language used by the defendant, does not prove that his regular hearers do not understand him. Who are the most likely to understand him? Who are the best interpreters of his words as they are spoken from Sabbath to Sabbath? Certainly we should all agree, his regular hearers; his elders who have been before you here, and upon the witness stand have testified, one and all, and consistently with themselves, to the sound evangelical preaching which they have been accustomed always to hear from their pastor during all the years of his ministry among them. These elders were men whose theological knowledge, as you all remember, drew from the prosecutor a compliment.

Let us ask what is the prosecutor's next display of art? To compliment these elders in his argument? By no means. Rather to discard their testimony and declare it worthless, upon two grounds: one that they are untrained in the distinctions of theology, and the other that they are prejudiced; that they have a personal interest in this prosecution; and so deep and personal an interest in it as to make them incompetent witnesses. Hence he would make it appear to this body that the pastor had beguiled these elders with this evangelical and biblical language, all of which had been used in a Pickwickian sense. Oh, what is our Bible to be worth if such principles of criticism are to be applied to it! A pious-hearted man reads in his Bible words, such as those which are embodied in specification five, or such as these: "The Son of man is Lord of the Sabbath; "Jesus Christ came into the world to save sinners." "We believe and are sure that thou art the Christ, the Son of the living God," and he thinks of this argument of the prosecutor and says: "What can all this mean? Unitarians and Sabellians use just this evangelical language, and therefore this must be"—there is no escape from the conclusion—"This must be a heretical book."

Having followed in this general way, or taken up some of the prominent points that were put before you in the argument of the prosecutor; having called to your attention some of the leading moves—if I may so speak of them—which he took in the conduct of that argument, it would seem fair to conclude that he must have felt hard pressed by the evidence which was given by the elders of the Fourth Church, or he would never have so manipulated the word "evangelical." This court will readily detect the art of the magician, in whose skillful hands not only the sermons of our preachers but even our very Bibles lose their meaning and their power to save souls.

The skill which the prosecutor has displayed in so torturing language as to empty it wholly of its honest meaning, has, I believe, never been surpassed, and has never been equaled but once. That was about the year 1787. We are told that at that time the American Federalists sought the friendship of British statesmen. Between these parties there was a common language, which offered dangerous facilities for the desired alliance. How should it be prevented? A

certain whimsical gentleman, by the name of Mr. Thornton, proved himself to be equal to the occasion. He proposed the admirable scheme of putting the common language into masquerade by spelling it phonetically and by printing the letters upside down. So the prosecutor, seeing the common evangelical language between Prof. Swing and his Presbyterian brethren, proposes to make nonsense of their good old Bible terms, and turn upside down their Gospel meaning. But let us cling to that evangelical sense and keep it constantly in mind. Let me ask you in its light to give attention now to the documentary evidence which will disprove the charges of this indictment.

Upon the subjects of regeneration or a new heart, and conversion, let me ask your attention to a sermon on "The World's Great Need," page 47:

It is not worth while, therefore, to quarrel with the Bible when it says, "I was born in iniquity;" "the heart is deceitful;" "the heart is desperately wicked;" and "man must be born again." The conspicuousness of Christ, of Paul, of Penn, of the great Elliott among the Indians, shows that the Bible is only a picture of human life, and that men do need to be born again.

You will readily imagine the answer in advance, which the prosecutor will make to this language. He will say that it is used in a Unitarian or in an unevangelical—that is, in a disingenuous and dishonest sense. But let us attend to the words themselves:

It was the effort of the old chemists to turn all things into gold, but the old theologians seemed to have possessed the faculty of changing gold into all things else; and taking a pure, priceless truth from the Bible were wont, unconscious of its worth, to join it to their amalgam and then emerge with a poor oroid—their very faces meanwhile crying out the old "Eureka." With these one may dispute, but as for the simple words of the Bible, they are the picture of the world's facts. They are the mirror which reflects back to us nothing but our face with no deformity or charm left out. Those words are deeply written on all the generations and their meaning is only too vivid. It makes the heart and the head to ache. Let us confess that one of the most prominent facts of society, is its moral weakness, its depravity. It *ought* to be "born again."

I will read also on the 48th page:

This sentiment is not true to the letter; but it shows what Christ meant when he said, "Ye must be born again." He meant that the soul must be hurled into being the second time. Its first life was a failure. It ought to be reborn so that a new genius—a new drift might be possible. Oh! what a vast change is here indicated—a change in the depths of our nature—a tearing down and rebuilding of the very soul. Now the world's greatest *fact* being its degradation, its greatest *want* is to be expressed by the word "re-creation" or "re-born." This is the world's great want. It is its greatest want—this reconstruction of the human soul so that it will no longer love to lie, nor cheat, nor sin in any form, but will love God, and all moral beauty.

There are several christian sects that do not sufficiently magnify this idea of conversion, or new life. They believe in it, but do not make it the great central thought of their teaching. With the Methodists, and the Presbyterians, and their kindred schools, the first effort is to help convert men, and hence their great question for the candidate for membership is, Do you feel that you have undergone a change of heart? Do you hate sin? Do you love holiness? And persons enter the church, or remain out, according to the responses to these inquiries. It matters not if some assert a change who have really met with none, and if some assert a falsehood knowingly. The questions are exactly in the line of the world's reform; they are *the great questions to be asked*, and hence the religion that most patiently asks them, and most lovingly seeks affirmative answers, will always secure better results than a church that passes them by in silence, and assumes that all is well in the soul.

Mr. McLeod.—What sermon is that?

Rev. Mr. Noyes.—The 48th page.

Rev. Mr. McLeod.—Some of us hav'nt the book. What sermon is it?

Rev. Mr. Noyes.—"The World's Great Need." I am assuming, Brethren of the Presbytery, that you are able to understand these words without note or comment from me, and hence I submit them for the most part without any such note or comment, and if they are heterodox, if they teach false doctrines, you, I believe, will be able to discover them without any help from me or from the prosecutor. I will read:

The perpetual effort to build up a new spiritual life, the unchanging conviction that soul *needs a profound reform now*, and the accompanying belief that such a new drift of being may be found by the heart, has all the advantage to be found in all direct effort toward a result. It has counted wonderfully in the race of usefulness that the Methodists, for example, have for one hundred years, turned their longings and efforts towards the immediate reconstruction of the human spirit. In some of the villages of Persia there is to-day a sudden and vast reform taking place under the mission banners in the name of the actual pursuit of a regenerate heart. What men seek, they find. Only that gate opens at which men knock.

It is useless to reply, "We do not believe in a miraculous conversion of the soul, but only in a conversion brought about by steady will-power, hymns, and prayer." It is useless to reply in any such way as this or in any of these ways, for it is of a change of heart only, I speak. I have said nothing about the agent in the new creation. The pure rationalists believe in a changed heart, and would seem bound therefore to make this new heart a vital thing in their church life; for it is the world's greatest want; its greatest longing, its only hope. Some orthodox sects pursue with more zeal this one object—the transformation of the heart—and hence seem to be more in the path of the highest human duty—more fully in the path of reform.

Twenty-first page—"Influence of Democracy on Christian Doctrine." I read:

Christianity silently points to Jesus Christ. Pass it not by. Oh! may this generation, while it is passing along, number among its transformations the transformation of your hearts into the image of the Saviour! that when after a few years it shall have strewn all your bodies like autumn leaves upon the earth, it may waft your spirits redeemed and sanctified back to your Maker.

These words do not seem to confound the distinction between redemption and sanctification. I ask you to hear some passages from these sermons in regard to salvation by Christ, and in regard to the person of Christ, upon page 52:

The moment you declare Christ only a human being you have weakened His influence upon the soul. The light and warmth are eclipsed and the poor soul gropes about and tries to find in civilization a power denied it in the realm of the divine and the infinite. To part with ignorance, let us go to the learned. To part with sin, let us go to the presence of the holy. Mr. Hepworth excites hope—

I should say that this sermon was preached not long after Mr. Hepworth withdrew from the Unitarian denomination, and hence the significance of the reference to him.

Mr. Hepworth excites hope only in this, that he is kindling a little better central sun for his heart—has declared Christ to be divine above other measure of divinity believed in by many of his sect. He redoubles the radiance and the warmth of that character that has always shone in rejuvenating and converting power upon the heart. Men looking upon civilization, or culture only, may not be reborn in spirit, but looking upon the divine Christ in love, other souls are affected by the holiness and immortal life in the great vision. Instead of man's revolving around humanity, Mr. Hepworth invites him to revolve about the Divine. It is a step upward, but not an espousal of orthodoxy, not even a departure from the old Unitarian creed. To preach fully his gently orthodox ideas, it seemed not necessary to withdraw from associations long and sacred; able in themselves to clothe his words with power; for the creed of his denomination embraces his ideas in its grandest books, and many are the hearts in his society that are willing that the soul of Channing should come back to the half desolate home. I feel that there are thousands in the Unitarian body who are willing, even anxious, to have a common fallible man plucked from the center of their system and to see replaced there the *Divine Saviour*, drawing all hearts by His love and heavenly attributes. The world will sooner or later be compelled to go to the *Divine presence*, not to human presence, for its new heart. Mankind has not holiness enough to entice any heart from its sins; has not love enough to persuade, nor power enough to alarm. It is the conception of *an ever present God;* It is *the sublime Divinity of Jesus;* it is communion with these characters; it is a belief in the infinite love, and power and justice, and in the all-pervading presence of Deity that can give to this world noble, converted hearts, and can bear earth along towards the new birth, the new genius of human life.

And now to all this language the answer will doubtless be that it is used simply in a Pickwickian sense.

Rev. N. Barrett.—I have been asked if there is anything in reference to the Holy Spirit. Please read it if there is.

Rev. Mr. Noyes.—I will come to it as I go along. I must follow my references. If this Presbytery wants evidence other than that which has been given by living witnesses as regards the belief of the defendant upon the character and person of Christ, I think the passages which I have read will fully satisfy their minds upon that doctrine; and so, I will next read some statements which are found in these sermons upon the subject of Salvation by Christ—the sermon upon Salvation and Morality, page 102:

In this shadow realm we would not wish to throw down the exact response that "He that believes" shall safely pass the mysterious bourne; for faith is such a broad, indefinable word that to substitute it for the term salvation would be to leave us still in the air obscure. "Faith in Christ" would be a phrase still indefinite, for not only has faith many forms, but many forms also attach to the person of Christ. He was a sacrifice, but sacrifice has many significations. He was an example. He was a mediator. He was the unfolding of the Divine Image. Faith in Christ is a phrase which is at once seen to be made of words that are like the bits of colored glass in the kaleidoscope, forming many pictures and all very beautiful.

The faith of a little child in Christ would differ essentially from the faith in Jesus of a person come to education and deeper thought. In the child's estimate there could enter no analysis of the Saviour in the theological sense of the term. His offices--

I wish to call especial attention to the words following:

His offices of *atoning Lamb*, of example, of *image of God* would all be crowded out of the young heart by the enthusiastic reception of Christ, as a loving, glorified, heavenly friend.

Turn now to the same sermon, upon page 104, where we find salvation described as a result of Christ's death.

If Christ *by his death* wrought out a salvation for man, man's heart must be the prize *bought with the sacred life and death.* There is no salvation for a sinful soul except a pure life. Hence, if Christ effectually assists man to this pure soul, he is man's Saviour and the pure soul is the salvation. If good works are the salvation, *Christ is still the Saviour.* Hence, salvation by good works and salvation *by Jesus, the Redeemer*, are so inseparably blended that any effort to separate, must result in what? Must result in an insult to the cross on the one hand, and to the Sermon on the Mount on the other. It cannot be that Christ would save a race *in* their sins but *from* their sins; and hence, the flight from sin is always a flight to the bosom of God. This is therefore the essence and soul of Christianity—this upward flight. Thus Christ may be the Saviour of mankind, and yet leave our *morality as the final embodiment of his salvation.* All the work of Christ contained in the *word Calvary or atonement* is only the objective part of the soul's rescue, whereas man's own personal righteousness is the subjective salvation, the thing for which the other exists. There is no conflict perhaps between Paul and the Saviour. I use the word "perhaps" only as a further confession of the impossibility of determining with scientific exactness the whole of Paul's thought on the one hand, and the whole of the Saviour's thoughts on the other. Assuming inspiration, there is of course no conflict. But not thus begging the question, and appealing only to rationalism, there seems no discord in the two strains of music. Paul unfolds salvation from without. He tells what is necessary outside of man. Hence, Calvary, and law, and imputation, and satisfaction come upon his horizon at all hours. There the Jewish altar is transformed into a cross. The first Adam and second Adam meet. The past sins of humanity are gathered up mountain high, and a price is to be paid for them—*paid in blood and death.*

Mr. Moderator, if such language as this is heretical, I am sure that you and I are heretics. But I read on:

While these scenes of objective salvation are pictured in intense colors upon the sky of the saint, the scenes of the subjective salvation are passing along through the mind of the Saviour—souls full of virtue, full of brotherly love; souls from which even evil thoughts have been banished forever. Paul is busy with the paths to a destiny; Christ with the beautiful destiny itself. There is no necessary conflict, but Christ remains as always, everywhere the greater. He never halts in any vestibule, or sits down upon a confine. He passes into the holy places of the soul and utters the final wisdom, and prayer, and destiny of the poor mortals waiting for His words.

In this salvation, which hath two parts—the *way* and the *going in that way*, the hand is rash indeed that would separate the human character from the salvation. In order to do this, it is not only necessary to abandon all the Gospels of Christ, but it is necessary, also, to *mis*understand Paul, and torture him upon the rack of system. In a world where the absence of integrity, the absence of righteousness, is so remarkable as to fill society with alarm by day and by night, and in an era, too, where what is called salvation by faith alone, has been crowded forward with wonderful ability and success as to acceptance, it seems high time the scholastic meaning of salvation were made to expand until it should receive into its polluted heart the Sermon on the Mount and the morals of Jesus. The faith demanded by this sinful race is one that will not simply look upon a career of individual virtue, a faith that believes in Christ, not only upon Calvary, but in the Gospels; Christ not only in the Mosaic types, but Christ in the spotless purity recorded by Matthew and St. John. A religion is needed that will not dare to tell mankind that works are of no significance; that will not dare cast contempt upon any righteousness except an imputed one; a religion that will not dare spurn the entire life and words of Him who spake as never man spake. This is not a salvation without Christ. The difficulty will be found to be that it has too much of Christ in it. To the teachings of Calvin and Luther it adds the teachings of the Saviour as an important supplement.

Of the same scriptural and evangelical character are the sentiments recorded upon the 107th page of the same volume.

If the parties could be found, who have in the past brought about this divorcement between salvation and good works, they should be urged to come forward and confess their sin before the nineteenth century, so injured in all the sacred places of its soul. In the name of injured virtue, in the name of public calamity, come and coming, they should read and preach not only the grand philosophy of Paul, but the still grander morals of Jesus Christ.

There is a Christianity that will save the world. It has not only a faith, but it has a morality as essential as its faith. It not only says, BELIEVE and be saved, but it *assigns*

damnation to him who leads a wicked life. There is not only a Christianity that will fill heaven with saints, but earth with good citizens. In it Paul and Christ are not rudely separated and the human placed above the divine, but the morals of the gospels come back to mankind, and the anxiety for the faith is no greater than the hungering after righteousness.

In the pictures and the images of the cross seen in all homes in this era of tender sentiment, there is often to be seen a garland of flowers, surrounding the cruel wood in their loving embrace. Emblems of life and death indeed! but may they be to us always, emblems of the Sermon upon the Mount, *inwreathing the atonement*, forming a part of the indefinable salvation inseparable. The Christ that gave the world the Cross, wove also the garland of morality that completes its adaptation to the wants of man.

Mr. Barrett.— Please read on the 50th page, in reply to the question, as to what these sermons teach concerning the agent in regeneration.

Rev. Mr. Noyes.—I should reach that presently, but I will read it now as desired.

Let us come now to a comparison of the means for creating or producing this new heart. There are sects that expect a new heart to come from the common means of civilization. A new heart as to sin, is just like a new taste as to learning or music—a simple result of culture. They call in no special agents, no superhuman influence.

The truly orthodox, to the influence of all natural means, add the special influence of God's Spirit and of a Divine Christ. In the very outset one might conjecture that a religion claiming help from God and a Divine Saviour, would most powerfully affect the heart. None of the influences of civilization are left out, but in addition to these the heart opens up a communion with God; opens up a study, and soul communion with Jesus Christ, and thus casts itself into the presence of infinite purity, power, justice, and goodness. What are the ordinary forces of civilization, compared with such a fellowship as this? The element to be eliminated from man, is sin. Now civilization bears within itself a great remnant of sin. Civilization is not holy. It is not infinitely just and pure. But the Spirit of God is the very opposite of sin.

It will be remembered that the prosecutor, in the course of his argument, challenged and defied the defense—to produce from any of this documentary evidence a single passage which should distinctly set forth any evangelical doctrine. I think the challenge is sufficiently responded to, and met already. But still I must ask your indulgence for a longer reading of these excellent and saving truths, which I find scattered all through these pages. Turn to page 179—"Truths for To-Day"—for a passage to which I remember Prof. Patton, in his remarks, especially called the attention of the defense. But as I shall submit the passage without note or comment, perhaps you will get a different impression from the reading of it. I will read:

We stand afar off. This Christ has fulfilled a law which we have broken, and to us, no longer able to flee unto ourselves and find peace, He says, "Come unto me all ye that labor and are heavy laden, and I will give you rest." These last words certainly are orthodox. "At his voice, all Divine, the cherubim that stand between Him and the paradise lost fall back, fall back; and lo, the exile, penitent, and loving, and trusting, sees the gate of joy open again, and he hears not only the angels rejoice over the sinner that repenteth, but he hears the forgiveness of his fellow men, and the paradise that is destined to be perfect beyond this world begins now and here to cast forward some of its light, and it dries up tears, and binds up broken hearts, and calls back exiles all along this side of the tomb.

Page 239.—"Truths for To-Day.—*Pardon* and *atonement* form part of the great salvation, but the vast idea is only fully met and satisfied by the word righteousness. If a departure from righteousness was man's fall, a return to it will be his safety, the heaven of his soul. If this be true, then Christ is a Saviour in so far as he helps man back to that high place from which he fell in this career. The Cross is only an essential prelude to the new life. The sigh of the suffering life and death of Jesus was only the solemn introduction to a great melody, in whose music should be comprised the many strings of a new soul and a new career. All of sin was then finished, all of holiness was then begun. To all christians the cross should not be the only emblem of religion, but over it should be flung or around it should be wreathed the white robe of virtue, to *buy* which the Cross was reared and the life lived, and *the death died.* If salvation began at a Cross it ended not there. Its great result is reached only in the word holiness, for if in the image of God man was made, to that image Christ leads man back.

Rev. Glen Wood.—I would like to inquire if the speaker would be likely to get through if he continues to a later hour; if not, we might want to adjourn, as it is now near five o'clock, and many of the brethren must leave pretty soon.

Rev. Mr. Noyes.—I shall not be able to get through to-night, Mr. Moderator, though I should have been able to do so but for the necessity that seems to be imposed upon me by the course of the prosecutor in most unfairly garbling this testimony, to read some-

what at length from the documentary evidence.

Rev. Mr. McLeod.—We have had no morning session, and if it would be in order at this time, I would move that we have an evening session.

Rev. Mr. Noyes.—I shall not be able, Mr. Moderator, to go on this evening. Let me go on now, and read from page 240, "Truths for To-day:"

Moral perfection being the final import of the word salvation, the faith that saves the soul will need to appear on the arena as a power that will cast its possessor forward towards this perfection.

The truth which is here set forth is very distinctly taught in the second chapter of the Epistle of Paul to Titus, the 11th to the 15th verses. The prosecutor had occasion very frequently, in the course of his argument, to refer to the Confession of Faith, but never once, if I remember rightly, to the Bible. I venture to refer to the Bible, and I hope he will regard it as almost as good authority as that with which he undertakes to support his positions. My own preference for it, as a book of reference, arises partly, perhaps, from my greater familiarity with it. I read from Paul to Titus.

For the grace of God that bringeth salvation, hath appeared to all men, teaching us that denying ungodliness and worldly lusts, we should live soberly, righteously and godly, in the present world, looking for that blessed hope and the glorious appearing of the great God and our Saviour Jesus Christ; who gave himself for us that He might redeem us from all iniquity, and purify unto Himself a peculiar people, zealous of good works.

Now, I will read the passage from Prof. Swing again: "Moral perfection being the final import of the word Salvation, the faith that saves the soul, will need to appear on the arena as a power that will cast its possessor forward toward this perfection."

I think Prof. Swing must have had this passage from Titus in his mind when he wrote that sentence. And now I will read a passage from "A Missionary Religion" upon page 44, with reference to the doctrine of Justification by Faith: "The world reveals three great wants—pardon through Christ, light through Christ, a new heart through the Spirit. Give a soul these, *release from its guilt*"—If I remember rightly, Prof. Patton denied that the idea of guilt was anywhere referred to or brought out in any way in these sermons, but notice this passage: "Give a soul these, release from its guilt, a new heart for new deeds, new light that its deeds may be right, and it has found the inmost heart of Christianity."

Turn we next to another passage which will show that Prof. Swing, when he speaks of faith, uses the word in the evangelical or *reformed* sense. And scarcely can you find a better, or a stronger, or a truer statement of the relation of faith to works, and of the vital importance, not of one only, but of both, in order to salvation; the faith to justify the sinner, and the works to prove the reality and the power of the faith. The passage to which I refer is in Truths for To-Day, upon page 120.

That grand text which helped revolutionize the Christian world, in the sixteenth century, "The just shall live by faith," having by its final word set us free from Romish error and despair, ought now by its initial word to set us free from public and private neglect of a virtuous character. Saved from superstition, we at last need a salvation from vice. Religion is so broad it demands the whole verse. Such a pyramid as Christianity cannot be founded on a simple word. Who is it that lives by faith? The just! Oh, yes! The wicked, the dishonest, the cruel, cannot it seems, live by a simple belief. It is the just who thus live. It would seem, therefore, that faith is some fountain out of which the human family is to draw a more perfect character each day, and their honor, and piety, and charity, are not to draw life from man but faith in the living God. It is works through faith that save.

When your best works fail and you feel their worthlessness, fly to him whose Cross stands between you and God's wrath. Believe in Christ and find peace. But when you perceive your days to be without virtue and without charity, and without religion, read the words of James,—that a man is justified by his works and not by faith only; and let this sentence be as the thunder of God's justice all through thy sinful heart. Oh, that this many-voiced religion might sound its true music all through our country, and give us men of love, men of faith, men of hope, and men of virtue.

The Presbytery then adjourned, with prayer, until 9:30 o'clock A. M., May 16, 1874.

SATURDAY, May 16, 1874.

The Presbytery met at 9:30 A. M., when the Rev. Mr. Noyes resumed his argument for the defense as follows:

ARGUMENT OF THE COUNSEL FOR THE DEFENDANT.

(*Concluded.*)

Mr. Moderator and brethren of the Presbytery: No one regrets more than myself

that the prosecutor, by reason of his torture of Prof. Swing's sermons, has imposed upon me the necessity of taking far more of your time than I presumed it would be necessary to take before the case was taken up for argument; not that the arguments which Prof. Patton presented were of a character that could not be easily overthrown, but simply for the reason that his arguments were deftly inserted in the place of evidence, and that he attempted to induce the court to adjudicate this case upon the *argument* and not upon the *evidence*. And so I shall be obliged to consume a very considerable portion of time still to come, in reading from the documentary evidence. I must be permitted also, before proceeding to this presentation, to call attention to the fact, which certainly could not have escaped any member of this court, that the manner in which this documentary evidence was read by the prosecutor was such as in itself to cast ridicule upon it. The contrast was very striking between the dignified and respectful manner in which he read, for instance, from James Freeman Clarke, and the contemptuous and scornful manner in which he read from the sermons of Prof. Swing; and I could not but be reminded, in that connection, of a story which I heard long ago, and which goes to show how the whole force of any passage may be changed by some peculiarity of inflection or emphasis. In the good old colonial times of Massachusetts, it is said that a certain minister of the gospel had an unspeakable contempt for the then acting governor of the Commonwealth. It was the custom then—and Brother Kittredge can say, perhaps, whether it is not so now—for Thanksgiving proclamations to be read from the pulpit; and it was the custom of the governors to draw up those proclamations in due form, and, after signing their name witnessing to the document, they would add the words, "God save the Commonwealth." This minister, determined on expressing his contempt for the governor, whose name escapes me, but whom we will call familiarly John Smith, read the proclamation in due form; and as he came to the signature, and prayer following it, he said: "John Smith, Governor! God save the Commonwealth!" This, Mr. Moderator, fairly illustrates the manner in which this documentary evidence was presented, so far as it was presented to the court, by the prosecutor; so far especially as relates to the *manner* of its presentation or tone in which it was read. As to the garbling of it, here and there, I have already referred to that.

I shall begin my reading this morning from "Truths for To-Day," upon the 73d page.

The Rev. Glen Wood.—Couldn't we have a little more light, Mr. Moderator.

The Rev. Mr. Noyes.—I have enough light.

The Rev. Glen Wood.—I have not.

The Rev. Mr. Noyes.—I can give you light enough.

The Moderator.—Mr. Wood refers to the light that the sexton furnishes, and Mr. Noyes refers to light upon the question which he is now discussing.

The Rev. Mr. Noyes.—I will begin the reading of extracts which will set forth the views of the defendant upon Faith and attendant doctrines, and which will show how certain doctrines are assumed or only briefly stated by him; for instance, the doctrine of the Inspiration of the Scriptures, of the Trinity, of the Divinity of Christ, and the like. It is made one of the offenses of the defendant that he contemns and ridicules the doctrines. The passage I am about to read does not lend support to such a charge, but disproves it.

No man can preach Christianity, without being a doctrinal preacher, and no man can acquire a Christian or a religious heart except by the obedience of doctrine. Doctrine sustains the same relation to Christian character and hope that mechanical law sustains to the Cathedral of St. Paul, or that the law of sound sustains to the church chimes or the music of the many-voiced organ. The attempt to separate Christianity in any way from its own announced doctrines, is as pitiable a weakness as it would be to invite engineers to bridge a vast river by emotional action wholly separate from any creed of mechanics.

Having reached the inference that Christianity is founded upon doctrine; that doctrines are its state laws, and that all preachers must be doctrinal preachers, and all Christians doctrinal Christians, let us look now, into the quality of these doctrines which all must teach and obey. When we shall have found these, we shall have escaped the thing which the wicked world fears or suspects—a group of human doctrines supporting some church *de facto*, secured by usurpation in some dark night, and shall have found what the wicked world ought to love—a church *de jure*, founded by the Almighty and sanctioned by the longings of the soul, and by the experience of all generations. In seeking for these doctrines, we may permit Christ, the Founder of Chris-

tianity, to supersede reason and point out a path for His followers.

But the moment He has uttered our text—that 'Those which men can subject to experience are the doctrines that be of God,' reason rises up and unites its voice with that of simple authority. The doctrines of Christianity are those which may be tried by the human heart. This is declared often in the Divine word. From the words of Solomon, 'Fear God and keep his commandments, for this is the whole duty of man,' to the Saviour's words of the text; from the psalm, "Oh, taste and see that the Lord is good," to the deeply spiritual passage where Christ compared himself to bread to be eaten by the soul, there is one prominent idea—that the doctrines of religion are those which can be *converted into spiritual being*, making the spirit advance from childhood to the stature of Christ.

Turning over to 76th page, I read:

But when the Bible says, 'He that believes shall be saved,' it unfolds a doctrine. For human experience taking up this faith, is wholly transformed thereby, as a desert is transformed by rains and sun into a paradise. Faith is man's relation to Christ just as the student's love of knowledge is his relation to all study and wisdom. Faith is the union between the cluster and the vine; between the rose and the nourishing earth. Separate the rose, and it withers—never reaches its bloom. Hence he that believeth not is damned because the chain that should have bound him to God being broken, his moral world sinks and goes out in the darkness, like the virgin's oilless lamp, when the joy of the marriage feast was near. If God is the life of the world, then the soul that separates itself from Him by unbelief would seem to have broken the chain of perpetual being.

Upon the 77th page you will find more evidence by which to be guided in the making up of your verdict.

Appealing, therefore, to the range of human experience, we must declare faith, repentance and conversion to be unavoidable laws of Christianity, not having come into it by any council of Catholics or Protestants but direct from God who poured into the human mind its reason, and into the heart its love. Not so easily can we persuade reason to admit as a matter of public experience, the idea of a mediator. We waive the inquiry as to Reason's voice because we are seeking not what the public confesses, but what Christianity itself holds, that may perchance be a matter of experience, may be tasted and thus be seen to be good. Under this head, of doctrine open to experience, we must include the notion of a mediator, for we find millions of hearts glad in the feeling that there is a daysman between them and God. The hymns of many ages, from the tombstones of the Christian catacombs, where a few sweet words were written to the 'Lamb of God, I come, I come,' of our century, the experience of man as to the idea of a mediator has rolled along like Dante's vast bird-song over the forest of Chiassi.

When we sing the hymn, "Jesus, Lover of My Soul," or "Rock of Ages, Cleft for Me," and look into the faces of those borne upward by this sentiment, we know that this *idea of a mediator* belongs to human experience, and hence is to be enrolled among the doctrines of *any true Christianity*. Let us approach now, a more warmly disputed proposition, that the *divineness of Christ* is something essential in the Christian system. The Trinity, as formally stated, cannot be experienced. Man has not the power to taste the threeness of one, nor the oneness of three, and see that it is good. Man cannot do His will here and know of the doctrine whether it be from God. It is not conceivable that any one will pretend to have experienced three persons as being one person, the same in substance and at the same time equal.

This doctrine of the Trinity, however, is not rejected, not denied, by Prof. Swing, but it is distinctly affirmed by him, for he at once goes on to say:

This doctrine, therefore, belongs to a *simple religion of fact*, and not to one of experience; and hence, the distance between that idea and the idea of faith or penitence, is the difference *between a fact and a perpetual law*. But while human experience cannot approach the Trinity, it can approach the divineness of Christ; for if Christ be not divine, every impulse of the Christian world falls to a lower octave, and light, and love, and hope, alike decline.

I wish you would give attention to the above passage, restored to its context, and which, torn out of its context was so dangerous and heretical in the view of the prosecutor. It is the passage which he quoted to the witness, and on which he asked his opinion as to whether it was an evangelical sentiment.

Now, take the passage in its connections. I have read what goes before, I will read what follows immediately after. "There is no doctrine into which the heart may so inweave itself and *find anchorage and peace*, as in the divineness of the Lord." And now assuming all the while the doctrine of the Trinity to be a fact, Prof. Swing goes on to say: "Christianity bears readily the idea of three offices—does "office" mean manifestation, or an appearing, in the dictionary which the prosecutor uses? If it does, I would like to know what the dictionary is. "Hence Christianity bears readily the idea of three offices, and permits the one God to appear in

Father or in Son, or in Spirit; but when the divine is excluded from Christ, and He is left a mortal only, the heart, robbed of the place where the Glory of God was once seen, and where the body was once seen rising from the tomb, and where the words were spoken 'Come unto me ye that labor, and are heavy laden'—the heart thus robbed, is emptied of a world of light and hope." Now, interpret these sentences in the light of the respondent's declaration, which he has made before this Presbytery, and which is to the effect that he holds the doctrine of the Trinity in the evangelical sense. So interpreted, the doctrines here set forth are not heretical. If they are, there is more than one heretic belonging to this Presbytery. I will read also, continuing on the same line of thought, from the 80th page:

In presence of such experience, to make Christ only a frail human, is to strike Christianity in its heart's life; and hence, among the great laws of the Christian religion selected by the measurement of our text, we must include the divineness of our Lord.

As a result of the principle here given, that the doctrines of Christianity are such as may be tried by experience, hundreds of what the world calls dogmas are excluded from *any enumeration of essentials*, and must stand only among the facts of Christian history, and not among religious laws of life and salvation. God does not ask you to taste the tasteless, nor to experience that which lies beyond sight and sense; but to cast yourself into the laws of faith and conversion, and repentance, and love, and hope, and of the Divine Lord, and upon these be carried by a new, recreative experience over to a new world, called a new heart, here; called heaven hereafter. If we base our religion upon a revelation, we must find in it not only the existence of a doctrine, but the relative value of a doctrine. "This is the point to be carefully noted—*the relative value of a doctrine.*" We need not go to the Bible for a truth, and to man for an estimate of the value of a truth. The comparative value of a truth is to be learned from the guide that pretends to lead the human race. For example, if the doctrine of faith plays a more prominent part in the Bible than the doctrine of infant baptism, such also will be the order of their usefulness. If the three offices of God, as Father and Redeemer and Spirit, are made more prominent than the idea that these three persons are one God—

And to this certainly no valid objection can be made; for we do not find, and no one pretends that we do find, a formulated statement of the doctrine of the Trinity in the Bible, though we believe that the doctrine is there taught.

If the three offices of God as Father and Redeemer and Spirit are made more prominent than the idea that these *three persons* are one God, then what mankind will need most and use most will be the three influences, God as Father, God as Saviour, God as Holy Spirit; and what he may make secondary is the enigma of the three in one, for why make prominent things which are not conspicuous in the inspired guide? By this estimate of Christianity, illustrated in this discourse, you who are afar off and unwilling to come nearer to this Saviour, may at least find a method of discriminating between a church weighed down by a hundred declarations, and that simple religion of Christ which announces but few laws, and those all measurable by your own experience.

Pass on to the 83d page:

Oh! skeptical friend! Oh! Christian, too! fly each day from the debate over simple events or entities in religion, to the laws of being that may be tasted like sweet fruit, and which confess themselves at once to belong to the nature of God and man. It is in this realm of experience the millions of earth become one.

This sermon was evidently intended to lead skeptical minds to those practical truths which would bring them to Jesus Christ, who said, "If any man will do his will, he shall know of the doctrine, whether it be of God, or whether I speak of myself." But does Prof. Swing teach that experience is the only evidence of Christian doctrine? Let us see. Look at page 101:

The evidences of Christianity must be weighed by a mind not averse to virtue, not averse to the being and presence of a just God; by a mind not wholly wedded to exact science, but full of tender sympathy with man, and pity for him if his career of study and love is to terminate at the grave; by a mind capable of looking away from the market place, and from the pleasure of sense, and of beholding the vast human family flashing their angelic wings afar off beyond these humble times and scenes. The evidences of Christianity must be weighed by a soul capable of sadness and of hope. Not simply must the books of theologians be read for, and the books of skeptics against, *the doctrines of faith*, but the genius of earth, its little children, its joys, its laughter, its cradle, its marriage altar, its deep love crushed often in its budding, its final white hair, its mighty sorrow, embracing all at last from its Christ to its humblest child, in its black mantle, must be confessed in its inmost heart; then, when to such a spirit the common arguments of religion are only whispered, the sanctuary of God would seem to be founded in eternity, and men here and angels elsewhere will throng its blessed gates. While the singer of Israel stood out in the sinful street and saw the prosperity of the wicked, his feet had well nigh slipped, but when he went into the sanctuary

of God it seems that a new vision came from among the incense and the song.

Now, let us turn again to faith—the doctrine of faith as we find it set forth upon page 242.

"Faith is evidently the soul's attachment to a being." It is not assent to a proposition —this the defendant does not teach. It is attachment to a person! "The New Testament is as wont to say, 'Lovest thou me' as 'believest thou me.' It sums up all the commandments by the word 'love,' and neglects the word 'faith' for many a page." And we even read in the Scriptures that we are saved by hope! "The followers of Christ so loved him, so gathered about his feet Magdalen-like, bathing them with tears, that under the word 'faith' we see flying along a spiritual sentiment, an angel of admiration and devotion. Faith, then, is the moral drift of the heart. It is an inner genius, ever growing, ever self-developing. It is an impulse of the soul combining the two elements of a firm belief and a deep attachment. It is, therefore, both an intellectual act and a sentiment." "Christian faith is both a perception and a sentiment for gathering up the phenomena of Christ's life and death, reaching out towards his Cross and purity, and paradise and eternal life, it becomes a great intellect, grasping a spiritual landscape, and then in the feelings that follow, of joy, forgiveness, hope, repose, it becomes a sentiment pervading the soul. It thus becomes the rational foundation of a new life."

Rational, or reasonable—that is, *not* arbitrary. Evidently the preacher means to say that this doctrine of christian faith, or salvation by faith, is a doctrine which, when properly understood, commends itself to the judgment, and the reason, and the conscience. It is the law of salvation. It is the law in all religions; but still, only Christianity is a saving religion. You will remember that the prosecutor called especial attention to the force of that little word *if*. Let me approve his suggestion, and take it up and commend it to you afresh right in this connection; for I am about to read a passage found on page 245, a part of which the prosecutor embodies in specification nineteen. It is to be regretted that he did not follow his own counsel; if he had done so, perhaps the heresy would have disappeared from the passage which I will now read: "*If* there were enough truth—truth of morals *and redemption*—in the Mohammedan or Buddhist system to save the soul, faith would be the law of salvation within those systems."

The question here is simply a question of fact. There is *no* redemption in those systems. *If* there were, then faith would be the law of salvation in them; and yet they require a belief. But Prof. Swing does not here say that salvation by faith is not peculiar to Christianity. On the contrary, by any fair and reasonable construction of his words, that is just what he does say. I now quote:

Faith comes into Christianity thus, not by an exceptional decree of God, but by the universal law of nature. The mind is so fashioned that its belief is always working out its salvation or destruction. As the ear is always leading the musician forward toward a better music, toward a sweet salvation from the rudeness and discords of yesterday, so faith in Christ is always an angel leading the spirit onward, nearer to the condition that knows no sin or sore temptation. When the prophet of God commanded Naaman to go bathe thrice in the river and his disease would be cured, the command was arbitrary. It was not an instance of nature acting naturally. You may repair to the same river now, in sickness, and lo, there is no power in its stream. But when the Bible says, "By faith are ye saved," the words come down from eternity, and belong to the human race in any century and by any shore. As long as the ear may allure the spirit along toward melody, so long will faith unfold in the soul a deeper and more perfect salvation. It is nature, not toiling among rocks and streams, but toiling in the soul; not a miracle but a perpetual order of sequence. When God says, "Believe and be saved," it is not as it was when He commanded the leader Moses to smite a rock or stretch out a magical rod over the streams of Egypt. That was an isolated command. It was spoken for a day. When the command of faith was spoken, it was spoken in the eternity of the past for the endless years to come. As the idea of decrees—

Let us see about this doctrine of divine sovereignty, as we have it distinctly asserted in this passage.

As the idea of decrees does not originate in Christianity but falls into it from the human mind which always must think that God has decreed all things, and as the difficulty of free will finds its origin, not in the Bible but in the mind itself, so salvation by faith is not a creation or invention of the New Testament, but is a law that has pushed its way up into the Testament from the realm without.

Now, men have always differed in opinion on the question whether there is a natural element in faith, a reasonable element, or not.

The Moderator.—Would you allow me to suggest to you to make a little plainer the points where you pass from Prof. Swing's language to your own? Those who have books, have no difficulty in following you, but those who have not, might.

Rev. Mr. Noyes.—Yes, sir, I will do so. I am not reading from Professor Swing, now. I was just saying that men have always differed in opinion on the question whether there is or is not a natural element, a reasonable element in Faith. Probably, they always will differ. And, whatever the opinion expressed by the defendant upon this point, I submit that there is no heresy in it. It is vain for the prosecutor to undertake to convict Professor Swing of heresy in regard to this doctrine of justification by faith. This will be made more apparent by attending, as I shall next ask you to do, to the sermon "Good Works," beginning upon page 105. Here Professor Swing plants himself squarely upon the text which he announces for his discourse. He puts himself in opposition to those who pervert it. He makes a strong and timely, because much needed, appeal in behalf of good works. Seeing that the nation has become a reproach by reason of corruption in high places, and that dishonesty prevails widely in commercial circles, he calls upon men to seek after "righteousness which exalteth a nation." He opposes the views of Solifidians; and in this he has good company, for Dr. John Eadie, who, I believe, would pass in the Presbyterian church in this country, as a sound and orthodox Presbyterian, says that "the Solifidians held that justification depended upon faith alone; but while justification rests upon faith alone, it does not rest upon that faith *which is alone.*" And is not this Professor Swing's idea? Such, I believe all unprejudiced readers of this sermon would declare. Paul says, "Faith worketh, *worketh* by love." *He* insisted on good works in the third chaper of his epistle to Titus, the seventh and eighth verses: "That, being justified by his grace we should be made heirs according to the hope of eternal life. This is a faithful saying, and these things I will that thou affirm constantly, that they which have believed in God—" and if we are going to be so very critical about language, certainly this passage is not a clear and unequivocal statement of the doctrine of salvation by faith in Christ, for it says—"That they which have believed in *God* might be careful to maintain good works. These things are good and profitable unto men." Also, First Timothy, sixth chapter, seventeenth and nineteenth verses: "Charge them that are rich in this world that they be not highminded, nor trust in uncertain riches, but in the living God who giveth richly all things to enjoy, that they do good; that they be rich in good works; ready to distribute, willing to communicate."

Such is Paul's teaching as to the importance and necessity of good works. Professor Swing's teaching is not different. Turn to page 105 and see.

There was once a sect, and they have not all gone from earth yet, who were called Solifidians, because they expected salvation, because they believed that Christ would bestow or had bestowed upon them that great boon. This sect had condensed the whole Bible into a single sentence, and all conduct into a mental operation called belief, and hence their chief virtue must have been that of placid expectation. In hours of gratitude over the office of a mediator, there often seems nothing in the world *but Him and His Cross.* Comparatively all else fades; but the reverie of the Christian is soon broken by the words, "Why stand ye here idle?" "Blessed are the pure in heart," and "Ye see that by works a man is justified, and not by faith only;" and in a moment he finds himself in the very midst of a varied world, rich and beautiful as the tropics—a world in which *faith in Christ* is of *vast moment*, but does not lay waste the whole continent. The question how the mediatorial office of Christ may do all, if man must also do good works, is just such a question as is sprung upon us by the human will. How can God accomplish his will and at the same time permit man to possess an independent self-determining volition. I know of no method by which we can make works necessary or essential in a kingdom of perfect redemption, or perfect forgiveness; but this difficulty we pass by, and, as in the case of the will, would cast ourselves upon the evident facts of Christianity and of common life; and the facts are that the Bible, from first to last, insists upon personal righteousness. Common life or society teaches us also that a salvation which did not insist upon virtue would be the destruction of society in all its temporal interests. If heaven could be sustained and peopled by faith without good works, earth at least could not; it would be compelled to resort to moral lives.

The doctrine of salvation by faith must, therefore, be so stated and held as to leave society its friend, trusting faith rather than fearing it, and must be so stated and held as to leave the other doctrines of Christianity some reason of existence. In their joy over the newly discovered idea of salvation by the mediation of Christ, some of the divines around Luther, with Luther himself, declared that no amount of sin would imperil the soul that should possess this marvellous faith. Thus at one stroke the doctrines of regeneration, and repentance, and santification, and love to man, are cut down as cumberers of the ground.

And now if the prosecutor calls in question these doctrines as they are set forth in the passages which I have read, I beg to refer him to the last number of the paper of which he is the editor; wherein it is said that

No great principle must be taken by itself, and herein is where so many mistakes are made by many thinkers. The principle or law of gravitation by itself would plunge the solar system into the fiery billows of the sun and give us a grand cremation of worlds. So Luther was so filled with the grand doctrine of justification by faith that he ignored and contradicted the necessary fruits and purposes of faith; but he reformed his opinion as he pursued further the study of the Word. The wildness of all extremists, the meteor like rush away from harmonious systems of truth which we often see in the world of thought, results from taking a single truthful principle and following it without regard to other principles which bear upon it.

Verily, a second Daniel come to judgment! *The Interior*, unless we say that it too is vague and ambiguous—*The Interior* asserts that good works are "the purpose of faith" —which is parallel to that charge that Prof. Swing teaches that faith saves because it leads to a holy life—because he speaks of works as "the destiny of faith." Oh! what is *The Interior* coming to? If we cannot trust it, what and whom can we trust?

But let us turn next to the 111th page.

Faith indeed will save a soul, but faith then is not rigidly a belief; it is more, it is a friendship, for the word belief is often wholly omitted, and for whole pages the love for Christ reigns in its stead. In St. John the word "love" quite excludes the word "faith." Faith therefore being a devotion to a leader, a mere belief is nothing. A man is justified by his active affections and not by his acquiescence in some principle.

Professor Swing teaches, then, that faith is an active affection; and if that be false doctrine then the Apostle Paul teaches false doctrine, for he says precisely the same thing, when he declares that "faith worketh by love."

Thus faith, in the biblical sense, is not a simple belief but a *mystical union with Christ*, such that the works of the Master are the joy of the disciple. Works, that is, results—a new life—are the destiny of faith.

The very doctrine that *The Interior* has sent forth to the world.

The reason of its wonderful play of light upon the religious horizon. As man, by his sin, lost the image of God, so by faith, that is by devotion to Christ, he is by cross and by forgiveness and by conversion, rewards of His love, carried back to the lost holiness. Faith is not a simple compliment to the Deity, for it is not God who needs human praise so much as it is man who needs virtue, and hence faith must be such a oneness with Christ as shall cast the spirit more and more each day toward that uprightness called "works," which man has lost, but which only God loves. Hence James truly says, a man is not justified by what he may believe but by such a newness of inner life as may cast the soul into harmony with righteousness. Faith, as a belief and a friendship, is good so far as it bears the soul to this moral perfection. The perfection is the city to which faith is an open way, and the only highway and gate; therefore, by the final works or condition a man is justified.

You will remember these words as embodied in the indictment on which the respondent is here arraigned; and I think that whatever impression the words may have conveyed to the minds of any of this body, as they stood isolated, torn out of their connection, and torn again in the mangling process of the prosecutor's logic, they will not be regarded as conveying any dangerous or false teaching when put here in the connection where they belong.

But I will continue the reading, from page 112.

You all, in senses more or less strict, look upon the Bible as being the Divine history and law of religion. It is the way of salvation. However Christian men may differ about the Bible when it speaks in the name of science, and tells you how the earth was made, and when; yet when it comes to morals there is no denying that its pages are the record of God's will as to the life and salvation of His children.

Now, in that book throughout, the works of men play so profound a part that the verse of St. James seems only the reverberation of all the voices between the Genesis and the Apocalypse. The great word of the Old Testament was "righteousness." The fear of the Lord was the beginning of wisdom. "Fear God and keep His commandments for this is the whole duty of man." Nowhere in all that large volume of religious law and history is there any salvation alluded to apart from uprightness.

Here follows now a quotation from Dr. Green, of Princeton, who, if I am not incorrectly informed, was a teacher of the distinguished prosecutor in this case. If Dr. Green is right, then certainly Prof. Swing is not wrong. Prof. Swing says:

In studying this life of Job, one of the Princeton divines seems to become enamored of good works as opposed to belief alone, and says: Job "is evidently protrayed as a model man." * * * * * "No account is made of ancestry or of connection with the covenant people of God.

There is no hint of relationship to Abraham. He was plainly not one of his descendants." * * * "Evidently it is not outward associations or connections, though of the most sacred kind, that constitute the evidence and pledge of God's favor, but *personal character and life.* In every nation and in every communion he that feareth God and worketh righteousness is accepted of Him." This Princeton Divine does not pause here as though fearing he might still be giving only a doubtful sound, he proceeds to say: "The important question is not, Are you a Jew or a Gentile? Are you a member of this or that branch of God's visible church? Nor even, are you a member of any outward body of professing christians whatever? But have you personally that character which is acceptable to God, and are you leading a life that is pleasing in His sight?"

These words are exceedingly valuable, not only because true, but because, coming from a great orthodox origin, they show that the heart of the most extreme champions of "faith," can no longer separate salvation from a life of honor as to God and man. Religion is confessed to be character. But does not this Princeton teacher base the salvation of Job upon his sole relation to the coming Redeemer, apart from all personal character? I have shown that in his judgment, the important question is "Have you that personal character which is acceptable to God?" Hence the "works" of St. James are a part inseparable of the great salvation. What the divine from whom we quote does say about the "Redeemer" of Job is equally liberal and equally wonderful. "God was his Redeemer; Christ who was in the beginning with God and was God, is ours. When Job appeals to his Redeemer, he does so without even remotely apprehending that He (the Redeemer) is the second person of the Godhead; for, of the distinction of persons in the Divine Being and of the doctrine of the Trinity, as unfolded in the New Testament, he knew nothing.

It would thus appear that this Princeton Divine estimates the relative value of the Trinity about in the same way that Prof. Swing does. Prof. Swing continues his discourse.

The inference from these words is certainly this: That the most devoted students of the Old and New Testaments do, in our day at least, perceive the overshadowing question to be, as Dr. Green says: "Have you that personal character which is acceptable to God," it may be impossible for all persons to see the Redeemer just alike in his relation to each soul, but in the midst of this conflict between human works and the works of the Redeemer, the heart must cling to its personal holiness as something about which there can be no doubt. In the Bible there may be some obscurity, hiding from some minds the nature of the atonement, or mediation, or substitution of one for another, but in all the Bible there is no doubt left any where to hang over the doctrine that "The pure in heart only shall be blessed." Passing away from the old time and the land of Job and coming to the absolute presence of Christ, we find Him not informing Nicodemus that he must cherish a state of belief, but that "*he must be born again.*" Paul is also eloquent over the new man, the new spirit within. Hence, while the Redeemer, both of the old Patriarch and of the latest Christian, may often be carrying forward His part of the great human salvation behind clouds, heavy or light—clouds which Job could not penetrate—and which hence mankind at large need not, the human side of salvation, namely; a new life and new works, lies always in a clear light; clear, whether viewed from the Bible or from the crying need of society. Society, at large and in the minute, from empire to fireside, demands a religion of good works. It would permit the man of Uz to sink his Christ in the idea of God, without separating the unity into its Trinity, but it dare not permit him to turn aside from being eyes to the blind and feet to the lame.

This teaching of Prof. Swing is substantially the same as the teaching of Dr. Green, the eminent Princeton divine, a professor in the Princeton Theological Seminary. Prof. Swing continues:

Society could not demand that he (Job) embody exactly so much in his hymn to his Redeemer, but it was compelled to beg him to omit nothing from his principle "to fear God and eschew evil." This was the human side of salvation, and any short-comings there, would deeply injure all the sacred interests of state and home and heart.

We are informed that God so loved the world that He sent His Son, that whosoever believed in Him should not perish but have eternal life. This love, therefore, will not permit the world to suffer in personal goodness by relying upon external righteousness. There is nothing society so much needs today as, not Divine righteousness, but human righteousness.

The Divine righteousness, let me say, is complete and perfect and we must grow into that; we must be clothed with it. We must put it on as a garment. We must receive it as a spirit into our hearts until we become like to Him, our Lord and our Saviour; and this is the doctrine of this sermon. Man needs righteousness. I will read:

There is nothing society so much needs today as, not Divine righteousness, but human righteousness. For want of this our nation mourns, our cities mourn, our churches are disgraced, our very homes are often made desolate. Our land has everything except righteousness.

Now I submit whether the prosecutor's garbled quotations from these sermons were not unfair to the last degree, and misleading,

and whether his inferences are not mistaken and false, and totally unworthy of a Professor of Theology. I turn next to page 238, where we shall find a passage which sets forth the difference between a believer's justification or legal salvation and his sanctification. I read again:

Salvation of man, therefore, must be man's transformation from a sinful to a holy nature. It is a return of that which was lost. A legal salvation may be a preliminary or a concomitant, but cannot, in morals, be the chief salvation. In the financial department of life, a debtor can be saved by having his debts paid. Condemned to death, a criminal can be saved by a letter of pardon having upon it the seal of a king; but in morals, a salvation is not simply a discharge from a debt, or an escape from a penalty, but a change in the spirit; a transition from vice to virtue. The term, therefore, draws its deepest interpretation from the term *lost*. If man is lost in wickedness, he is found again in a perfection of moral character. If my calamity is hunger, food is my release; if my soul's calamity is sin, virtue is my only rescue. In law there is such a thing as technical danger or technical safety. In the dark Kansas days, there was such a thing as "constructive treason," a treason inferred from resemblance to real treason; but there can be no such thing as an inferential salvation, a constructive release, a technical escape. The meaning of the term is to be determined by its location. In morals, salvation is spiritual perfection. The forgiveness of past sins, the payment of a moral debt may be preliminaries, or attendant events, and may, by their importance, aspire to the name of a rescue; but these titles are the gift of gratitude rather than of fact, for after a man's sins are all forgiven or atoned for, he stands forth still *lost*, for he retains the low nature that produces sins and made necessary the pardon or the atonement. If to us, lost in the wilderness without a sun or a star, or a path to guide, there comes a benevolent hermit, a dear mentor, and leads us to the right path and sets our faces homeward, he is at once our saviour; but our perfect salvation will come from our *going that path*. Our *going* and the *mentor* combine in the escape, and yet he lives in memory as the kind saviour of our bewildered hearts.

Pardon and atonement form parts of the great salvation, but the vast idea is only fully met and satisfied by the word righteousness.

And now, Mr. Moderator, if there may be a recess of a few minutes I shall find it a relief.

On motion the Presbytery took a recess for ten minutes.

After which, the Rev. Mr. Noyes resumed his argument as follows:

Before I resume the reading from the volumes of Prof. Swing's sermons, I desire to call the attention of the court to the opinion of Dr. Hodge—the elder Dr. Hodge with reference to the doctrine of the Trinity, an opinion which may be found recorded upon page 290 of Presbyterian Reunion Memorial volume.

If a man comes to us, and says he adopts the doctrine taught in our Confession, we have a right to ask him, "Do you believe there are three persons in the Godhead, the Father, the Son and the Holy Ghost, and that these three are one God, the same in substance, equal in power and glory? If he says, "yes," we are satisfied. We do not call upon him to explain *how* three persons are one God, or to determine what relations in the awful mysteries of the Godhead are indicated by the terms, Father, Son and Holy Ghost.

In my readings from Prof. Swing's sermons, I have shown that he does distinctly assert the doctrine of the Trinity, and that he often assumes it. He does not, however, undertake to explain it. But his Trinitarianism fully meets the requirement of Dr. Hodge as expressed in the passage I have quoted from him.

And now let me call your attention to some passages from the defendant's sermons which show that faith produces works and character.

Turn to page 247, "Truths for To-Day:"

In the transformation of the soul, two things are at once perceived to be desirable, (1) a new form of industry, and (2) a new form of being, called by theologians, *good works*, and a *new heart*. But not aspiring to the honors of theologians, let us not affect their terms, but content ourselves by saying that our safety demands a better industry and a better soul. We must *be*, and *act* like Christ.

Page 248:

The impulse of this grand Christian industry is faith in Christ as the soul's Saviour.

Page 251:

The soul attached to Jesus Christ by this faith, which is both an intellect and a passion, is gradually transformed into his likeness; and step by step draws near to that salvation found in perfect virtue.

Page 252:

Faith is the normal state of a sinless soul, a youth permeating all the hours from cradle to grave.

I call your attention next to a few passages which set forth the doctrine of the judicial punishment of sin. The prosecutor denies that Prof. Swing teaches this doctrine at all. Let us see.

Page 271:

When Paul has said, "We shall all appear

before the judgment seat of Christ," he has stated a *cardinal truth* of Christianity; but when this idea passes from logical Paul, to the mystical John, it becomes clothed with its richest drapery, and amid the breaking of seals and the sounding of trumpets and rolling thunders, the vast multitude pours along toward the Great Judge, and beg the overhanging rocks and mountains to cover them from his wrath."

Pages 80 and 81 of the sermon entitled "Value of Moral Motives:"

There was something in the times of Calvin and Luther, and on to Jonathan Edwards, that enabled the motive of punishment to be very influential for good. To inquire whether anything would do as good service, would be about like the inquiry whether some other method of light and heat might not have been resorted to by the Creator, that would have made our existing sun unnecessary. It is certain that the terror of the Lord wielded a mighty influence on the past centuries; and the same impulse of virtue will always be extant and active; but to the millions of a subsequent age a new impulse is liable to arise, and expressing itself in the words, "The love of Christ constraineth us," may for a time be a complete universe to the existing heart.

Sermon entitled "Influence of Democracy on Christian Doctrine." On page 13 you will find an unequivocal, unambiguous statement of the doctrine of God's sovereignty:

The doctrine of God's absolute sovereignty is just as true as it was in the days of King Œdipus, or of Calvin. It will always remain a confessed fact, that God's will must be the supreme will of the world; but while this is confessed, yet we do perceive that our age, as a fact, passes over the great absolutism in silence, compared with the age of Athens or Geneva, and God's love and Fatherhood become more visible than the absolute despotism.

The idea of love is brought more prominently forward; the idea of almighty power or divine sovereignty, is left more in the background.

And now, Mr. Moderator and brethren of the Presbytery, I bring to an end these long, but I trust not wearisome, or profitless readings from Professor Swing's sermons. I might extend them indefinitely, but I feel that the documentary evidence which I have already presented, is simply overwhelming, and that if there is any one in this body who is not satisfied, then neither would he be convinced though one rose from the dead. I ask you to consider this evidence. Give it that weight to which it is entitled on account of the clear and unequivocal statements of evangelical doctrines which it contains. I know that you have not failed to find in these passages, as I have read them, these evangelical doctrines, and that you will not, in making up your verdict, be influenced by any fear of Professor Patton's contempt of your intelligence. For you remember that he has warned you in advance, that if you do find the evangelical doctrines in these sermons, he will believe that you do not know what these doctrines are yourselves. I have responded to and answered, and as I think, conclusively, the challenge which the prosecutor offered to the defense, wherein he defied us to bring from the sermons of Professor Swing, any clear and unequivocal statement of the doctrines of the Cross.

And now, in return, I throw down before him the challenge in which I defy him to bring from these writings any passage which, submitted to an unprejudiced and an intelligent man, may not by him be easily and naturally construed in conformity with the doctrines of the Gospel. I do not doubt at all that he will go over in his closing speech some, at least, of these passages which I have read; and if I may judge of what he will do by what he has done, I do not doubt that he will tear them in pieces, as a wild beast would tear its prey. But I submit to this body that these passages which have been given, largely without note or comment, will not by you be so tortured—will not be in your minds so turned and twisted out of their natural sense as to cause you to miss of their real and intended meaning.

Before I pass away from the consideration of this indictment formally, as such, there are two things which I have to say. The first is, that the opening statements of my argument have been, as I believe, abundantly proved, both by oral and documentary testimony. I said that there was nothing in this indictment, from beginning to end, so far as the specifications are concerned, except the inferences of the prosecutor. Taking these away, there would be nothing left of the complaint; and these, as I have shown, ought never to have been admitted into the indictment at all. The complaint, on the very face of it, is defective throughout, either in substance or in form. The form is vague and the substance is only the shadow cast by the dark thoughts which the prosecutor has entertained of Prof. Swing's language. I shall not, therefore, follow him through his ingenious pleadings as he pass-

ed from one specification to another, perverting the language of the defendant, and so making it appear that its teaching was false and dangerous. I speak to intelligent men, who can judge of the plain and obvious meaning of language as well as he. But there are two of the specifications on which, before I leave this part of the subject, I desire to offer a few words. They are specifications twenty-third and twenty-fourth.

The address of the defendant yesterday, must have met and removed doubts which any members of this court may have entertained upon this subject, but, for the sake of making the testimony cumulative and overwhelming, I desire to recall to mind two statements which have been submitted in evidence. The first was made by Dr. Patterson when he was upon the witness stand. His testimony was distinct and emphatic to the effect that Prof. Swing had explained to him that in his use of the word *eclecticism*, he meant only an eclecticism of use and not an eclecticism of authority. And when the prosecutor said on the last day of his argument, that Dr. Patterson's statement was not evidence, he simply impeached the veracity of the witness; and I do not think this court will sustain that impeachment. The one assumption upon which, as a basis or foundation, the prosecutor has reared the whole splendid superstructure of his argument, is this, and this only: That the respondent at your bar is a *liar*. To sustain this assumption—in other words, to keep the foundation under the argument and so prevent it from tumbling down into shapeless ruin, all risks must be accepted. The defendant's categorical averments must be emphatically denied, and the supporting testimony of responsible witnesses must be fearlessly contradicted. And all this in direct defiance of the authority of the General Assembly, which has declared that the accused party shall be accorded the poor privilege of defining the meaning of the language which he employs. Fully corroborative of the testimony of Dr. Patterson, was the statement which the defendant made in his letter to Dr. Junkin, from which I will read, and then pass on to other matters, submitting the case without further remark to your judgment and decision.

For the sake of the readers of *The Presbyterian*, before whom you have spread out the most wonderful piece of religious literature which it has ever been my pleasure to read, I shall state here briefly but carefully the views which I do hold regarding the moral quality of parts of the Old Testament. There is nothing new in the views. My public relation to them results from the accident that I was invited to preach upon the moral status of the Old Testament. When God authorized the Israelites to wage exterminating wars, he was not announcing a perpetual law of human conduct, but was authorizing an *act* rather than a *law*. When the old divorce law was passed, it did not embody an eternal principle. Neither did the law that stoned to death a rebellious son, and that demanded eye for eye, and tooth for tooth. If the exterminating wars were ordered for an age only, and if the principle is not perpetuated in the Christian era, then God must have arrested it because it was not an eternal law of right. These temporary, defective principles, good for a time only, were designated *inspired depravity* to distinguish them from the wicked acts of men not acting under command of God. The personal sins of the patriarchs were ordinary depravity and presented no enigma to the skeptical, but the moral qualities of the old divorce laws, etc., inasmuch as God was their author, could not have been superseded by Christ on the ground of their being a human weakness. We were, therefore, driven to the conclusion that a defective moral principle could have been given by inspiration. Such laws could do a good work for a time, and then could be repealed by the God in the New Testament who had set them up in the Old. Jesus Christ, therefore, and his Testament are a revelation of the everlasting true and right. His divorce law repeals the old writing of divorcement, His persuading by preaching supersedes the exterminating wars, His "praying for enemies" supersedes the psalms in which the Hebrews cursed their enemies. Rationalism is founded upon reason, but this theory is founded upon the supernatural in Christ, and has not one trace of rationalism in it. From first to last it is purely Christian.

Passing now, from the documentary to the oral testimony, to which I have so far made only incidental reference, I need make no extended review of it. Of oral testimony, I cannot but think that every member of this court will agree with me when I say that the prosecutor had absolutely none. In this respect, the trial on his part proved to be a farce. His own witnesses turned out to be strong witnesses for the defense. Especially was this true of Mr. Thompson and Doctor Patterson. Nor will the prosecutor's great skill in special pleading, at all avail to break the force of Dr. Patterson's testimony. Here was a ministerial brother who early fulfilled his duty to his misrepresented and maligned friend. He did not shun him, and nurse his doubts until he should be ready to give them

voice, and send them to every part of the church, but he went to him in the spirit of love. What he learned in those interviews, he has declared to this court. His testimony cannot in the least be invalidated by any attempt to pervert the language which he employed in his letter to the *Interior*. The circumstances under which that letter was written are a sure guide to its right interpretation. Prof. Swing had been publicly accused of having, in heart, gone clear over to the enemy's camp. The air had been filled with suspicions against him. On every hand men were speaking to each other their fears. In this state of things Dr. Patterson, obeying a very manly impulse, wrote to the *Interior*, expressing strongly his disapprobation of its course towards Prof. Swing, in giving to the winds its "doubts" concerning his doctrinal soundness. Knowing that the latter was openly charged with suppressing the truth in his ministry, he said that in so far as he failed to preach the central doctrines of the Gospel, his preaching was seriously defective. Was that saying that he did avoid these doctrines? Not at all. It was only saying that *if* he did—and that *if* is an important word here, too—and in so far as he did, his preaching was seriously defective; and to that position, I have no doubt that Dr. Patterson holds to-day. But the prosecutor undertakes to impeach the testimony given by the elders of the Fourth Church. Well he might, for it bore overwhelmingly against him and his case.

He insists that parole testimony has no value, where written sermons may be had in evidence. To this, I have two things to say in reply. These elders are the "living epistles" of Mr. Swing's ministry. On the theory of the prosecutor that they have been fed on the poison of false doctrines, and on this alone, I think that Prof. Patton himself must admit that they show themselves to be pretty sound and healthy Christians. It is hardly worth while to be fed on "the sincere milk of the word" at all, if false teachings can make such orthodox Christians. The very same sermons from which Prof. Patton sucks only the deadly poison of false doctrines, are sermons from which these plain, uncavilling men extract the honey of truth. That which is deadly to him, is nourishing to them. That which fills his soul with trouble, fills theirs with light, and peace, and joy in the Holy Ghost. That which makes him "black with astonishment"—to use the expressive words of the old prophet—makes them radiant with joy. That which fills him with sorrow and sighing, inspires them to go on their way with songs.

I ask your attention to this, Mr. Moderator. It is a curious phenomenon. It is worth studying for the lessons it may yield. "Can a fountain send forth at the same place sweet water, and bitter?" We know it cannot. But where is the bitterness then, of which the procecutor so loudly complains? It must be in him and not in the fountain of whose waters he still persists in drinking so copiously. The oral testimony of these elders, therefore, becomes very strong; and, taken in connection with the documentary evidence, it amounts to an absolute demonstration. This testimony shows the impressions which these elders received from hearing the sermons, and it appears that these impressions are totally different from the impressions which Prof. Patton received from reading them—or rather from reading garbled portions of them. But then, where is the common sense man who does not know that the best way by which to test the nourishing quality of roast beef for instance, is to *eat* it, and not to analyze it. And so business men who are laden with manifold responsibilities and cares, need to feed upon the truth, and it is not for the cloistered theologian to demand that they shall be skilled enough first to analyze it, and see if it be tainted with error before they dare to feed upon it.

This is one form of my answer to the prosecutor's special pleading against the admissibility and value of this evidence. My other answer will serve to correct a mistake into which he seems to have fallen. We have in no instance set out to prove the contents of a paper; the only thing which we have aimed to do is to establish before this body the thoroughly evangelical character of the defendant's preaching; and this we have done by documentary and by oral testimony. This oral testimony is the testimony of men who sustain prominent business and social relations to this community, and whose moral and Christian characters are without a stain. Prof. Swing often fills out his sermons by the addition of extemporized passages. His teachings in the prayer-meetings are all extemporaneous, and we have proved that these teachings are not, as this indict-

ment falsely charges, heretical, but evangelical and fruitful. Nor can I regard it as a generous thing in the prosecutor to undertake to break down this testimony by attempting to show that the witnesses are incompetent by reason of prejudice or self-interest. He has not a shadow of evidence to support his allegation. The men whose testimony he impeaches are well known in this community, and it will not anywhere be believed that their testimony can be invalidated. That they are deeply interested in this prosecution as officers who are responsible for the character of the teaching which the congregation "over which the Holy Ghost hath made them overseers," shall receive, is undoubtedly true. If it were not true, then indeed might their evidence be regarded as of little value; but that they are prejudiced, is utterly untrue, and is not to be entertained for a moment. The only witnesses for the prosecutor who gave his case any shadow of support were Mr. Goudy and Mr. Miller. I have not sought, nor have I ever had a thought of seeking, to discredit their testimony. One of these gentlemen I know well, and esteem highly. I think both of them will regard me as doing them a favor, if I say they do not range themselves among the admirers of Prof. Swing; but their testimony is not to be questioned for a moment on account of prejudice. It is to be taken for what it is worth—for all that it contains. Neither is the testimony of the Fourth Church elders to be questioned.

Perhaps I ought to say a word of the testimony of Mr. Shufeldt; but it shall be only a word. I do not imagine that any member of this court regards that testimony as establishing anything. Mr. Shufeldt confessed that his recollection was very uncertain. While he was sure that certain branches of the tree were broken off, yet whether those branches represented any of the points of Calvinism, was a matter of doubt.

And now, Mr. Moderator, before I proceed to speak of certain points of the argument of the prosecutor, there are some other matters to which I must refer as having a decided bearing upon this case. It is my duty to refer to certain facts which are properly a part of the history of this case; and one of these matters of history is, that during all the long period which intervened between the first opening of the newspaper discussion on inspiration, and the submission of charges against the defendant, the prosecutor never once went to Prof. Swing to try the effect of a fraternal conference in bringing them into fraternal and doctrinal agreement. I am aware that he says it was not a private, but a public offence with which Prof. Swing was charged. But this plea fails to meet the facts of the case, as I shall show. The specification which connects with it the name of Mr. Collier as a witness, is a very serious matter. This was an absolutely private affair. The pretended admission to Collier, was not known at all to the world, until the prosecutor made it known. Probably not ten persons in this city, nor out of it, had ever heard of the infamous falsehood. The publication of it was wholly the prosecutor's own act. Such a charge if proved true, would blast the name of any man, no matter how potent that name might previously have been. But who is the man against whom this grave charge is blurted forth to the world? He has lived in this community for seven years. During all this time, his name has never been sullied by the breath of scandal. Never have evil words been framed against him until they were framed into this indictment by the prosecutor in this case, and, if rumor be true, by another hand that is said to have lent its best cunning for the work. Of accused and accusers, therefore, the words of Cowper are strikingly descriptive:

> "Assailed by scandal and the tongue of strife,
> His only answer was a blameless life;
> And he that forged, and he that threw the dart;
> Had each a brother's interest in his heart."

Mr. Moderator, this, as I have said, was a private matter. It was something that was not known to the world; it was not a thing of common rumor. And when we remember that it is an inspired declaration that a "good name is rather to be chosen than great riches," and when we read in the same volume of living truth, that "a good name is better than precious ointment," I submit, in view of these divine testimonies, whether the hasty publication of this report was not a grievous wrong to Prof. Swing—a serious breach of the law of charity.

I must also put on record an expression of my regret that Prof. Patton did not feel moved to seek a conversation with the elders of the Fourth Church, very soon after he found himself wrestling with doubts as to Prof. Swing's orthodoxy; and especially when, at a later day, he found his heart

burdened with the fear that this loved pastor was at heart an unbeliever in evangelical doctrines, and a dangerous teacher. He would have found in all these elders very intelligent christian gentlemen, who are keenly alive, not only to the good name of their pastor, but also to the welfare of their church, and to the interests of the Presbyterian Church at large. He would have discovered that they are discreet in counsel and sound in the faith. They would have given an instant and a respectful hearing to the utterance of his anxieties and fears. And considering the danger that a popular pastor, going astray himself, should lead his people astray also, it is certainly to be regretted that Prof. Patton should have entered upon this prosecution without so much as attempting a mediation. Surely if the pastor is to be given up as hopeless, it were worth while to try and save the church. But this was not done. I do not speak of these things, Mr. Moderator, otherwise than with sorrow. I think it must be admitted that this deplorable breach of the peace, which we witness now, has at the least been inconsiderately brought about. Every means of private mediation should have been tried and exhausted before such a prosecution as this had been entered upon.

But I pass from these animadversions which I have no pleasure in making, but which my duty in this case requires that I should make, to ask your attention to the argument which the prosecutor has made in support of his indictment. As an honorable opponent, I am glad to bear witness to the ability, if not to the fairness, displayed in it. Grant him the assumption which is the underlying basis of all his plea, and there is no escape from the conclusion to which that plea conducts you. That assumption is, that the defendant in this case is not a truthful and honest man. If the members of this court believe this assumption of the prosecutor, then this present indictment should be dismissed and a new one framed, on which the defendant should be charged with falsehood. But I know they do not believe this; and it is a little singular that the prosecutor should distinctly declare, as he did on the last day of his argument, that he did not believe the respondent's declaration before the Presbytery, at the opening of this trial. For many months previously he had appealed to him through the *Interior* to give to the world an explicit affirmation that he did hold the evangelical creed, and then he, the prosecutor, would be satisfied. When at last, however, an opportunity was offered and improved for making that explicit avowal, the prosecutor characterized it, as you, Mr. Moderator, will remember, as "a candid statement." But it seems that a candid statement may also be a deliberately false statement. For Prof. Patton *now* declares that he does not believe the defendant. And it is this conviction of his insincerity and untruthfulness, which is the animus of this whole prosecution. It is this assumption which lies at the very foundation of the prosecutor's whole argument, and which is the only support that it has. Prof. Swing's sermons readily and naturally admit of an evangelical meaning. They not only admit of that, but they are full of gospel teaching, and they could not convey any other than an evangelical meaning, except by torturing and perverting the language in which these sermons are expressed. His elders testify that he preaches the same doctrines that they have heard all their lives from Presbyterian pulpits; and yet, in the face of all these testimonies, the prosecutor labors through three days to prove that the defendant is not evangelical. I submit that such an argument, however plausible and brilliant, does not challenge any very serious consideration. The argument cannot be true if the defendant is true; and the defendant cannot be true if the argument is true. And in either event there is no case on this indictment. But there are some considerations which the prosecutor's argument suggests, and which are of great importance in their bearing upon a right adjudication of this case. One of these considerations is, that every man's words should be interpreted with constant reference to the relations which he may sustain toward any body of Christians. Language spoken by a Unitarian, would not be used to convey the meaning which the same words, when employed by a Presbyterian minister, would be designed to convey. The standpoint of the two men being different, their views will be different on vital matters, even though those views may be expressed in substantially the same language.

Mr. Moderator, I do not exactly know, but I have an impression that, in your preaching, you generally speak of the divinity of Christ

and seldom or never of the deity of Christ. Shall we, therefore, begin to suspect you, and whisper our fears to one another with bated breath, or publish our doubts in a newspaper? If you do say "Divinity of Christ," then you say no more than a Unitarian would say. No, sir. Divinity of Christ means, from your lips and from the lips of Prof. Swing, one thing, while from the pen of James Freeman Clarke it means quite another thing.

These statements, so obviously true, will help us to see how grossly unfair the prosecutor has been in attempting to trace an identity of views between Professor Swing and Unitarian thinkers, because they alike use certain terms, such as "Divinity of Christ," and calling Christ "Divine" and "Saviour." These are the very terms which Presbyterian ministers use, so far as I know, universally. It is, then, to the last degree unjust, to single out one of them and undertake to disgrace him before the church for using those terms which are the common speech of our ministry. Not less unworthy and reprehensible were the efforts of the prosecutor to establish a similarity of views between Professor Swing, on the one hand, and such men as Tylor and Lubbock, on the other; and especially when, in charging Professor Swing with holding to the development theory, he charges him with holding to nothing more than what is taught in the last number of the *Princeton Review*, which, I believe, has been generally regarded among Presbyterians as a very Castalian fount of orthodoxy. I read from an article by Dr. Henry B. Smith, one of the profoundest theologians, one of the most noble and mature Christian men in the Presbyterian or any other church. He says on page 280:

> The very law of evolution itself, (at least so far at it has been at all verified,) when applied to human history, might at least give as much probability to the further development of Christianity as to its extinction. Christianity has undeniably been evolved in human history, and has, in fact, largely organized it. It has all the criteria of a development as these are given by evolutionists themselves—inward force, natural selection, survival of the fittest. Who knows its reserve of might, its latent possibilities? The experience of the past would seem to favor the confident prediction of greater marvels yet to come. But if evolution may in any case be so far arrested or completed that it can stop, for example, with man as the summit and acme of creation, then why may it not have reached its height so far as religion is concerned, in Christianity? If it may carry on man, substantially as he is, to a more perfect development, why not the Christian system also?

Professor Patton does not believe that the Christian system can be advanced to any greater degree of perfection than it has attained now. But evidently Dr. Smith does not bow down as an idolator before any system of theology, however excellent, and pronounce it perfect. Manifestly he believes that progress may be made in the *statement* of Christian doctrine. For, conceiving of Christianity both as doctrine, and as a renovating spiritual power, he goes on to ask:

> Who can set bounds to its indefinite possibilities? May it not be so applied as to give a rational conviction, that that august Christian faith, which is by common concession the highest form of religion may go on conquering and to conquer?

Mr. Moderator, you and I, because we were his pupils, and because we love and venerate the man, would not like to see Dr. Henry B. Smith arraigned for heresy; and yet it is very evident from the passage which I have read, that *he*, too, as much as Professor Swing, "has used language, (see specification seventh,) which, taken in its plain and obvious sense, inculcates a phase of doctrine commonly known as Evolution or Development." But interpret the language of both fairly, remembering the end they have in view; remembering, too, their ecclesiastical relations, and their words are not only guiltless of heresy, but *they are true*.

Mr. Moderator, during our late civil war, we had two classes of men among us. One class comprised the mighty multitude, and the other, a comparatively small handful of people. Both classes talked of loyalty and devotion to the country and love for the flag. But, sir, this language, though the same, was not the same. It did not mean the same thing; and, in order to be certain what it did mean, you had first to ascertain to which of the two classes the speaker belonged. When you knew whether he belonged to the party of Unionists or to that of Southern sympathizers, then you knew what he meant by loyalty and love of the flag. And so it is with respect to theological divisions to-day. You must interpret a man's words by the relations he sustains. There is not a minister in this Presbytery, or in any other Presbytery of our church, that would stand for a moment the test to which the prosecutor has subjected Prof. Swing. There is not one of

you all, brethren, who has not, time and time again, uttered paragraphs substantially the the same in phraseology as those which any Unitarian might utter, or any person who held to the Darwinian or Spencerian theory of development. Prof. Patton says he believes the Gospel. So the Free Religionists say the same thing. Are they, therefore, alike? God forbid. And yet, they are, if using the same terms makes men alike. Let us not hear any more of that kind of pleading, so wholly irrelevent to the case, and so unfair to the defendant. The prosecutor in his argument has continually charged the defendant with using such terms as "equivocal language;" and "ambiguous expressions." Now, sir, it is impossible to avoid such language. The Bible does not avoid it. It is not irreverent nor untrue to say that it is simply *impossible* for God or man, to use an expression which is unequivocal in the sense that it may not be interpreted, if a man will undertake so to do,—in a way in which it was not designed to be interpreted. In the prosecutor's own citations from the writings of Unitarian thinkers and ministers the terms which are used there, and which he found to be in some instances the same as those employed by Prof. Swing, there was ambiguity of expression. Does he believe that James Freeman Clarke uses the phrase, "The deity of Christ," in the same sense in which he uses it? If he does, then *he* may perhaps say that the language is not equivocal, but we, who would not be led to take such a view, would be compelled to regard it as equivocal. And it is a noticeable fact in this connection that while the defendant, according to the charge of Prof. Patton, has almost constantly made use of equivocal and ambiguous language, yet in all but one or two instances, the prosecutor himself has claimed to know precisely what he means by this equivocal language. This is very singular! Language, Mr. Moderator, ceases altogether to be a trustworthy vehicle of thought, when handled as Prof. Swing's language has been handled by the prosecutor in his argument.

I shall detain you but a little while longer, and, at this point, I desire to call your attention, respectfully, to certain principles whose justice will be obvious to you all—principles which are well known to every member of this court, but to which it may, nevertheless, be proper for me to call their attention at this time. One of these principles is, that in judging this case your verdict should be made up from the *evidence* and not from the *argument*. I have been detaining you in these sessions for long and weary hours, that I might present before you the evidence. The prosecutor, on the other hand, has been detaining you in these sessions for a much longer period of time, that he might present before you argument, and for the reason that he had nothing but argument to offer—no evidence. And now I ask that you will give heed to this plain and righteous principle that the verdict you render should be upon the evidence that has been submitted, and not upon the arguments which may have been offered, whether by the prosecution or by the defense.

Another principle which prevails in all civil practice, I believe, is to the effect that, even though a juror may be morally sure in his own mind of a defendant's guilt, yet his verdict is to be, not upon his convictions, however they may have been formed, unless they have been formed upon *the evidence alone*. Hence we have no right to come into this court bringing our prepossessions or our prejudices with us. We have no right to allow our prepossessions in behalf of the defendant to determine our verdict, and still less, if possible, have we a right to allow our prejudices against the defendant to enter into the making up of that verdict. The mind should come to this case as a blank, without inclination to the one side or to the other. I think I am but stating fairly the principles which should govern your action in this case. I desire not to prejudice your minds—to incline you to lean to the one side or to the other. I only ask that the verdict of every member of this court shall be rendered upon the evidence submitted, and upon that alone; and *that* must be judged by the mind, as freed from the prejudices or prepossessions which it may have brought into this court.

And now I have a word or two to say as to the degree of liberty which is to be allowed in the Presbyterian Church; and, as having an obvious bearing upon this point, I will read a passage from the same article from which I read a moment ago, in the April number of *The Princeton Review*, page 279. The article is by Dr. Henry B. Smith, upon "The New Faith of Strauss." He says:

Christianity is not founded in creeds or dogmas. To a certain extent, Hume's sarcasm is

true, that 'Christianity is not founded in argument.' The facts of our faith antedate its dogmas. The dogmas do not make, but express, the facts. All the human creeds that were ever framed, are but partial, fragmentary expressions of the Great Original.

And it is made by the prosecutor a very serious offense on the part of Prof. Swing, that he has used just such language as this, with special reference to the Westminster Confession of Faith:

All the human creeds that were ever framed are but fragmentary expressions of the Great Original; reflected and broken lights of that one Light which lighteth every man that cometh into the world. Christianity—would that we could see and grasp the distinction—Christianity is not a creed, not a dogma, not a system of theology, but it is essentially historic fact—a sublime incarnated spiritual reality.

It is as unrivaled and unique in human history as is the sacred Person of its head and center; it is, as the faith of the Church declares, the living presence of that Person in history itself. The living Christ stands first and central; and then His apostles, and then the Church, and then the simple creed.

We are moving off step by step, further and further away from that one thing which is needful.

And then the canon, and then the conflicts, and then the dogmas, and then the systems of theology; and so on through the centuries, and in and through all, a living, spiritual life, comparable only to the life of nature. And last of all, *last of all*, come they also who say that its very substance is found in creeds and contradictory dogmas, which can be upset by a sneer. And this Christianity, so sublime as an objective fact, becomes subjectively a renovating power—the life of God in the soul of man—the mysterious consciousness of an unearthly presence in the soul—God in Christ reconciling the world unto Himself; the highest form of spiritual life, no more dependent on theories and critics than is the health of the body upon the speculations of physiologists and pathologists. And this victorious faith, and this intense spiritual conviction are no more made in the way which such criticism represents, than the life of the earth or its evolutions, by the theories of geologists and scientists. A state cannot be overthrown by refuting the schemes of publicists, for the state lives and grows by its own law; and Christianity was made by the Maker of history.

Rev. Glen Wood.—Is that out of the *Lakeside Monthly?*

Rev. Mr. Noyes.—No, sir; it is out of the *Princeton Review.*

Rev. Glen Wood.—Is that Swing?

Rev. Mr. Noyes.—No, sir; it is Henry B. Smith.

Rev. Glen Wood.—Can't you make Swing out of it?

Rev. Mr. Noyes.—I leave that for the court to do, believing that they can and will make *it* and the defendant in this case *Swing* clear of heresy.

On motion of Rev. Mr. McLeod the Presbytery took a recess until 2 P. M.

The Presbytery re-assembled at 2 o'clock P. M.

After some preliminary business the counsel for the defense continued his argument.

Mr. Moderator: It will only be in the way of suggesting a new reason for entertaining the motion made by Brother Wisner, if I call attention to the fact that it seems not yet to be understood what is the position—the doctrinal position of Prof. Swing before this body. We have been told that he omitted altogether to state his creed, and that it is not possible to find out, from the declaration which he has made before this body, what his views really are; and for the reason, as is alleged, that he has not given any distinct statement of his belief, but has simply said on what grounds he would be ready to meet the skeptical world, and the educated world, and the sinful world. And so it will seem to you a new and strong reason for considering whether we ought not, for the sake of avoiding ambiguity, to reject the English language which we have been accustomed to use since we were born, and adopt instead the German, which, as our brother Wisner testifies, is a trustworthy and accurate medium for the communication of thought.

To correct this strange impression that Prof. Swing has avowed no doctrinal belief before this body, I will read from his declaration, page 324, new edition "Truths for To-day."

Beloved Brethren, *holding the general creed* as rendered by the former New School Theologians, I will, in addition to such a general statement, repeat to you *articles of belief* upon which I am willing to meet the educated world, and the skeptical world, and the sinful world, using my words in the *evangelical sense:* The inspiration of the Holy Scriptures, the Trinity, the divinity of Christ, the office of Christ as a mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and wicked.

I have now read before you an outline of my public method, and *of my Christian creed.*

To say that such language is ambiguous

and indefinite is grossly and willfully to misrepresent it. It can be misunderstood only by him who wants to misunderstand it.

And now the question is, shall Prof. Swing, as a Presbyterian minister, be allowed to stand upon this platform which he has laid down as containing the summary of the doctrines which he believes? As suggesting the right answer to this question, I will read from the Presbyterian Memorial volume, page 543, the opinion, as there recorded, of Dr. Musgrave:

You, through some misrepresentations made in the papers, by anonymous writers especially, received an impression that the Old School Church will tolerate no difference of opinion; that we are obliged, every man as before his God, to accept the *ipsissima verba* theory, and that any man who undertakes to review or to state, or to illustrate doctrines in any degree different from those of Princeton, for instance, is to be considered as a heretic, and to be disciplined. Well, we have disabused them of that. We have said, Brethren, there have always been shades of difference in the Old School Church, and in a body of such intelligent and conscientious men, there must of necessity be difference of opinion. Why, sir, as long as men think at all—and may the day never come when one man shall think for all the rest—as long as men think, they will differ in some respects. Now, sir, we have said to them that we understand that there is to be allowed in the United Church a reasonable degree of liberty, that men are not to be made offenders for a word; and that we will not encourage persecution, or needless prosecution, if you prefer it, but will allow just such liberty in the United Church as has been freely allowed in the Old School Branch of the church.

I will read briefly also from the report of the committee upon reunion—the proceedings of the committee as recorded upon page 279, and which is to the same effect as Dr. Musgrave's language:

At the same time that we mutually interchange these guarantees for orthodoxy, we mutually interchange guarantees for Christian liberty. Differences always have existed, and been allowed in the Presbyterian Church, in Europe and America, as to modes of expressing and theorizing within the metes and bounds of the one accepted system. What exists in fact, we have undertaken to express in words. To put into exact formulas, what opinions should be allowed, and what interdicted would be to write a new Confession of Faith. This, neither branch of the church desires. Your committee have assumed no such work of supererogation; neither have they made compromises or concessions. They append no codicils to the old symbols. They have asserted, as being essential to all true unity, the necessity of adopting the same Confession, and the same system with the recognition of liberty on either hand, for such differences as do not impair the integrity of the system itself.

Now, Mr. Moderator, in view of these testimonies,—in view of the passage which I read at the morning session from the latest number of the *Princeton Review*, I submit whether it is proper and respectful for the prosecutor in this case to come before this body and declare, as he did in the opening of his argument, that if you were loyal Presbyters, you would have resented on the spot the declaration which the defendant made before you at the opening of the trial. The defendant unqualifiedly declares himself to be, what was known before the reunion, as a New School Presbyterian. There is not one solitary fact in evidence before you to show that he is not what he claims to be; and there are many facts in evidence to support his claim. To say, therefore, that this trial does not bring up the old issues of New and Old School, is to say what all the intelligent world knows to be contrary to the fact. It does bring up these issues. These are the *only* issues that are before this body. And I say here, under a deep sense of personal responsibility to God, that if the respondent in this case is to be comdemned on the doctrinal platform which he has distinctly laid down before you,—while I do not speak at all in the language of threat, but only in the language of sorrowful foreboding and prophecy,—I believe it will rend again this church which has so recently and so happily been reunited.

And now I ask, in conclusion, that the printed and oral evidence which has been submitted in this case, may be adjudicated upon with special and constant reference to those principles which are laid down in the decision of the General Assembly upon the case of the Rev. Mr. Craighead, New School Digest, page 304. Those principles are in these words:

Here it will be important to remark that a man cannot fairly be convicted of heresy for using expressions which may be so interpreted as to involve heretical doctrines, if they may also admit of a more favorable construction.

And the only favorable or fair construction of the defendant's words, as they have been read in evidence, is that which puts him in harmony with the evangelical doctrines.

Because no one can tell in what sense

an ambiguous expression is used but the speaker or writer, and he has a right to explain himself; and in such cases, candor requires that a court should favor the accused by putting on his words the more favorable, rather than the less favorable construction.

Now, I ask that this body keep in mind that rule which requires—it is a rule laid down by the General Assembly—which *requires* that they put upon the words of the respondent the more favorable rather than the less favorable construction.

The other principle is this: "That no man can rightly be convicted of heresy by inference or implication, that is, we must not charge the accused person with holding those consequences which may legitimately flow from his assertions. Many men are grossly inconsistent with themselves, and, while it is right in argument to overthrow false opinions, by tracing them in their connections and consequences, it is not right to charge any man with an opinion which he disavows." And certainly this body will endorse that as a sound principle. It is not right to charge any man, least of all a Christian minister, with an opinion which he disavows.

And this naturally brings up the other principle, or fact, in view of which I desire that this court shall make up its verdict: That fact is, the respondent's own declaration; which is to the effect that he *does* receive, and receive in their *evangelical* sense, the very doctrines for rejecting which (or for omitting to teach which,) he has been arraigned at your bar.

Nothing, certainly, but the clearest and most convincing evidence of falsehood, should induce you, or any of you, to discredit the declaration of belief which Prof. Swing has formally made before you. The prosecutor's quotations from his sermons, garbled as they have been throughout, should be such as absolutely to forbid any evangelical interpretation, in order to justify a verdict of guilty on your part. But not only do they not forbid any such interpretation, but they require it. They will fairly admit of no other. The heretical construction of Prof. Swing's words is, in every instance cited by the prosecutor, the *violent* construction of them. The *fair* interpretation of them is that which yields an evangelical meaning. And so his printed discourses, so far from furnishing any material on which to base a denial of his declaration, do in reality support and confirm that declaration. And I see not how any verdict of guilty can be given, except by a disregard both of the defendant's explicit avowal of his faith, and also of the evidence which I have drawn so copiously from his printed sermons.

In making up your verdict, you will also allow great and deserved weight to be given, in your own minds, to the testimony which has been submitted by the Elders of the Fourth Church. Their testimony is confirmatory, in every word and line, of the documentary evidence. The chosen and ordained officers of the church to which Prof. Swing so acceptably ministers, charged with the care of its spiritual interests, by them, certainly, if by any body, Prof. Swing's ministerial unfaithfulness and his doctrinal unsoundness could be proved. But on the contrary, they unanimously testify to Prof. Swing's faithfulness as a minister, and to his soundness as a teacher. These, then, are the principles and facts which, as I respectfully submit, should guide the members of this court to their verdict—the rules in the Craighead case, Prof. Swing's declaration, the documentary evidence, and the confirmatory testimony of the Elders. With any verdict having such a basis as this, I shall be abundantly satisfied.

I cannot conclude this long argument, without a few words of reference to ambiguity of language—a phrase which has played so conspicuous a part in the prosecutor's charges and specifications and argument. Whatever may be the defendant's sins in this regard, he certainly is not a sinner above all others. It is the chronic complaint of the prosecutor that Prof. Swing is ambiguous. But that Prof. Patton needs to be told, "Physician, heal thyself," will, I think, be manifest to all, when I recall an incident of this trial. He has put upon the records of this court his formal protest against the action of the Judicial Committee in daring to amend his indictment, after it had once been presented. But in one particular, he himself was very anxious to amend it, without any suggestion from the Judicial Committee. Strange as it may seem, he, a critic of others, had exposed himself to be roughly criticised by others. He had used ambiguous language! Though drawing up a criminal indictment, when, if ever, we should expect to find absolute precision in the use of language, yet he was so remarkably ambiguous that even his warm-

est friends—who had every desire to treat him fairly—understood him to declare that Mary Price Collier was not a believer in the Christian religion. Mr. Moderator, I regard this as a providential blunder on the part of the prosecutor. It ought to bring home to him the lesson conveyed in the familiar couplet:

"That mercy I to others show
That mercy show to me."

If it is proposed to censure Prof. Swing for using equivocal language, then by every consideration of fair dealing, that vote of censure ought to include his prosecutor; for of sinners in this regard, he is chief. And, as he came into this court and asked, with pitiful appeal, that he might be protected from the misrepresentation and abuse of the secular journals, drawn forth by reason of his ambiguous language, so I ask, in behalf of the defendant in this case, that you will protect *him*, by the verdict that you shall render, from the manifold misrepresentations to which he has been subjected by the prosecutor. Let him have a just and generous vindication.

And now, Mr. Moderator, I have in conclusion, but just one word to offer, and that, sir, is a word of hearty and grateful thanks to yourself for the Christian fairness which you have illustrated in all your rulings in this court; and for the favor which you have shown to the defense—a favor which has in no instance been one of partiality, but of simple justice.

I thank you, also, brethren of the court, for the patient and candid hearing which you have given to my argument.

At the close of the argument of Mr. Noyes, in behalf of the accused, Professor Patton proceeded to reply.

CLOSING ARGUMENT OF THE PROSECUTOR.

Mr. Moderator: I proceed with my argument at the bidding of the court, remarking that it is of the utmost importance that we should adhere to the points in issue. Whether the *Interior* is an orthodox newspaper is not for me, in this place, to affirm—much as I respect the organ. Whether Doctor Hodge is an orthodox man, is not the question, though I have confidence in his orthodoxy. Whether Dr. Henry B. Smith is a sound theologian is not the question, though I do not yield an inch to Brother Noyes in my admiration of him. Whether I have been influenced by pure motives, or have conducted myself with propriety, is not the question; and I leave it for an intelligent public to decide. The simple question is whether Prof. Swing has been faithful and diligent in maintaining the truths of the Gospel, and whether he receives and adopts the Confession of Faith of this church as containing the system of doctrine taught in the Word of God. I affirm the truth of both charges. I affirm it in face of the argument of the defense, and I affirm it all the more, sir, in view of the two declarations of the accused. That Professor Swing is in the habit of using equivocal language, is a point that has not been covered by the defense, and I shall not add to what I have said on that subject. That he has derided the standards of the Presbyterian church, is a point which has not been covered, and I shall not add to what I have had to say on that subject. There are some points to which I beg leave to call attention, and to which I shall confine my remarks this afternoon, because they are important points in this case; and with all that has been said both by Professor Swing and Mr. Noyes, I beg leave to reaffirm the proposition contained in the fifth specification, as also propositions contained in later specifications. This fifth specification sets forth that Professor Swing has omitted to preach certain doctrines. The defense has undertaken to prove that he does preach these doctrines. I claim that they fail. Now let us read that specification:

Being a minister of the Presbyterian Church, and preaching to the Fourth Presbyterian Church of this city, he has omitted to preach, in his sermons, the doctrines commonly known as evangelical; that is to say, in particular he omits to preach or teach one or more of the doctrines indicated in the following statements of scripture, namely, that Christ is a "propitiation for our sins," that we have "redemption through His blood," that we are "justified by faith," that "there is no other name under heaven given among men whereby we may be saved," that Jesus is "equal with God," and is "God manifest in the flesh," that "all Scripture is given by inspiration of God," and that "the wicked shall go away into everlasting punishment."

Now, if the defense could have proved that these doctrines are taught in Prof. Swing's sermons, we should have admitted that this specification, at all events, must be dropped, and we should have expected the charge to rest upon other specifications,

though even then the charge would have remained true. Grant that it were proved that Prof. Swing had preached every one of these doctrines, then the effect of that proof would have simply been to have stricken out the fifth specification as not proven. It still would have remained true, that the other specifications had been proved, and having been proved, that they sustain the charge.

When the defense undertook to prove that the fifth specification was not true—that is to say, that Prof. Swing *did* preach these doctrines—what was their method? They brought the elders of the church to testify to the general tone of his preaching—to give their recollections of what he said—recollections which were not specific as to time or place or language. When they were asked to bring the written sermons of Prof. Swing, it having been previously admitted that these sermons were all in manuscript, and since the fire still in existence, they were not produced. What other evidence did they rely upon? For it must be clear to this body now that, so far as the testimony of the elders of the Fourth Presbyterian Church has reference to other sermons than those which are set forth in these charges, it is not relevant, because their testimony was secondary evidence, and is not valuable in view of the fact that the sermons to which they refer are still in existence, and have not been brought into this court. Then, if, when they undertook to prove that Prof. Swing did preach these doctrines which it is alleged he did not preach, and when the best evidence they could produce was the testimony of the elders, and the very sermons which are offered in evidence, it is perfectly fair for us to inquire whether these sermons, as they stand before us, are such sermons as you, Mr. Moderator, and I, and you, brethren, would call evangelical. Now, there they are. There is the volume called "Truths for To-day." Here are the sermons published in the *Chicago Pulpit*. It is perfectly fair for us to assume that these are the very best sermons which the defense can produce of Prof. Swing's preaching. It is fair to presume that so far as his preaching claims to be evangelical, the very cream of that preaching is to be found in these two volumes because it being alleged that his preaching is not evangelical, and the burden being put upon them to prove that it is evangelical, it is fair to presume they would bring the very best testimony in the case, and if this is the best showing they can make, then I will leave it with this body to say whether it is what they call evangelical preaching. I affirm that it is not. I affirm that its tendency is the very reverse of that; and I will leave it to the judgment of those who read these sermons to say whether that kind of preaching is the preaching that is to bring lost sinners to Jesus Christ—is the preaching to convert men and build up saints in their most holy faith. I will leave it for you to say.

But the defense will say that is not the point exactly. They will say that the averment which I make is that these doctrines are not to be found in the sermons. Now what do I say? I say that he omits to teach or to preach "*one or more* of the doctrines indicated in the following passages of Scripture." The defense confronted us with some passages yesterday which they wish us to understand as absolute and unequivocal expressions of evangelical truth. And in singular confirmation of the allegation which I made, to the effect that Prof. Swing uses equivocal language, they cite the very passages (some of them) which I relied upon in order to establish the proposition.

Now, I have clipped from his sermons passages which I think I read in evidence, and if I did not read them, I certainly meant to read them, in order to establish that very proposition that he uses equivocal language—language which, though it may have an orthodox sound, if you come to these passages with the assumption that he is an orthodox man, is nevertheless language that is quite in keeping with Unitarian theology, and which any Unitarian would use. I think I quoted this passage: "When your best works fail, and you feel their worthlessness, fly to Him, whose cross stands between you and God's wrath." If that was uttered by my brother Young, I should know it was sound, because I know his theology from beginning to end, but uttered by Prof. Swing, I don't know whether it is sound. That is just the difference; uttered by Prof. Swing, I cannot tell whether he meant that in the evangelical sense, or not; and the reason why I don't know, is because I know his theology on other points; and knowing his theology upon those other points, I cannot give him the benefit of a favorable presumption. I do not assume, by a great deal, sir, that he is orthodox.

Now I read this passage also, and if I did not read it in evidence, I made a mistake.

Truths for To-Day, page 179.

This Christ has fulfilled a law which we have broken, and to us no longer able to flee unto ourselves and find peace, He says "Come unto *Me*, all ye who labor and are heavy laden, and I will give you rest."

Now, I don't know whether that passage means that Jesus Christ fulfilled the law in my place or not. I don't know whether he meant the orthodox view of that, or not, but I know that Unitarians would use that expression, and the fact that he uses it does not *ipso facto* prove that he uses it in our sense—in the sense used by the Presbyterian Church. And so with a great many other passages. He does use language, in some instances which has an orthodox sound, and which does seem, if left alone, to be orthodox; but taken in connection with the context — taken in connection with all his sermons, understanding what he has said about the sacrifices of the Jews, knowing what he has said about Christ, knowing what he has said in his sermon on "faith," knowing what he said in his sermon on "good works," knowing what he believes in respect to these doctrines which have been mentioned, I do not believe, and shall not, until he tells me, that he means it to be understood in the Presbyterian sense. Let it be even granted that these passages which refer to the sacrifices of Christ, which refer to pardon, and which refer to the Atonement show his belief in those doctrines. Do not Universalists believe in pardon? Do they not believe in an *at-one-ment* between us and God? Does the use of the word *at-one-ment* carry an idea of the atonement in the sacrificial sense? Does not every Unitarian in the house believe in pardon? Does the fact that Prof. Swing uses the word "pardon," and the word "atonement" carry the idea that he uses the word pardon as we use it? There is a difference of opinion as to what the word atonement means. Now when he says that he believes in the atonement, it is an expression of an equivocal character; and I am not warranted in assuming that when he uses such an expression, he uses it in an orthodox sense. But suppose for the sake of argument (and only for the sake of argument) that he does use these expressions in an orthodox sense; it is still true, that the defense has not offered evidence to set aside the specification, for they have not showed me the passage yet which I asked them to show, where Prof. Swing makes use of unequivocal statements respecting the person and deity of Jesus Christ. It has not been done.

Now let me read. The defense read the passage which I read myself before in evidence on the subject of the divineness of Christ.

Lets us approach now a more warmly disputed proposition, that the divineness of Christ is something essential in the Christian system.

Mr. Noyes wants this Presbytery to take for granted that "divineness" is here used in the sense of deity. I adhere to the proposition that the defense has not yet given me an unequivocal statement from the sermons preached by Prof. Swing to the effect that Christ is God. It is not here. I will read the passage through. I read from page 78:

Let us approach now a more warmly disputed proposition, that the divineness of Christ is something essential in the Christian system. The Trinity, as formally stated, cannot be experienced. Man has not the power to taste the threeness of one, nor the oneness of three, and see that it is "good." Man cannot "do his will" here, and "know of the doctrine whether it be of God."

Again he says, page 79:

But while human experience cannot approach the Trinity, it can approach the divineness of Christ; for, if Christ be not divine, every impulse of the Christian world falls to a lower octave, and light and love and hope alike decline. There is no doctrine into which the heart may so interweave itself and find anchorage and peace as in this divineness of the Lord. Hence Christianity bears readily the idea of three offices, and permits the one God to appear in Father, or in Son, or in Spirit; but when the divine is excluded from Christ, and he is left a mortal only, the heart, robbed of the place where the glory of God was once seen, and where the body was once seen rising from the tomb, and where the words were spoken, "Come unto me ye that labor and are heavy laden," is emptied of a world of light and hope.

Now we are told that that must be taken to mean the deity of Christ. I do not say it does not mean the deity of Christ, but I do say that we are not authorized by anything that Prof. Swing has said to say it means the deity of Christ; for when I see repeatedly in Prof. Swing's sermons the word "divine" used as applicable to men; when in the sermon entitled "Saint Paul and the Golden Age," "spirituality," as an attribute of the Christian soul, is spoken of as a certain "divineness" of soul, and when in another ser-

mon, "A Religion of Words," the following passage occurs—"A divine being and a few followers may announce one, but the world is always far below the leading divine souls"—then if the word "divine" is used in reference to men, and the same word is used in reference to Christ, I would like to know by what laws of interpretation I am bound to believe that such an expression when used in reference to man means man, and when used in reference to Christ means God. And I am still more confirmed in my doubt respecting this matter by the passage which Mr. Noyes himself read yesterday in proof of the very proposition of which I stand in doubt. I quote from the sermon entitled "The World's Great Need," where, speaking of Mr. Hepworth, who left his Unitarianism because he felt that his Saviour could not be less than God, Prof. Swing, so far from joining with Christendom in the joy that a man had left the Unitarian faith and had come out into the clear daylight of God's truth—instead of rejoicing in that, he rather regrets that he did not stay behind in Unitarianism. Now let me read the passage:

Mr. Hepworth excites hope only in this, that he has kindled a little better central sun for his heart—has declared Christ to be divine, above other measure of divinity believed in by many of his sects. He redoubles the radiance, and the warmth of that character that has always shone in rejuvenating, converting power upon the heart. Men looking upon civilization or culture only, may not be reborn in spirit; but looking upon a divine Christ in love, their souls are affected by the holiness and immortal life in the great vision.

Instead of man's revolving around humanity, Mr. Hepworth invites them to revolve about the Divine. It is a step upward, but not an espousal of orthodoxy, not even a departure from the old Unitarian Creed. To preach fully his gently orthodox ideas, it seems not necessary to withdraw from associations long and sacred; able in themselves to clothe his words with power—for the creed of his denomination embraces his ideas in its grandest books, and many are the hearts in his Society that are willing that the soul of Channing should come back to the half-desolate home. I feel that there are thousands in the Unitarian body who are willing, even anxious, to have a common, fallible man plucked from the centre of their system, and to see replaced there a divine Saviour, drawing all hearts by this love and heavenly attributes.

He says there are Unitarians, plenty of them, who would like to see a common fallible man plucked from the centre of their system, and to see put there such a being as Channing worshipped. Now, sir, the antithesis between Unitarianism and Presbyterianism is not that the Unitarians believe that Christ is a mere man, and that we believe that Christ is God. There are three distinct opinions on the subject of Christ. There are those who say that Christ is a man, and that is all. There are those who say that Christ is God, and those who say Christ was neither man nor God but something between the two. Channing believed the last of these propositions; he believed that Christ was more than man, and less than God. Prof. Swing says that Channing, who held that Christ was something less than God, though far above man, believed in a "divine" Saviour, and such a Saviour the Unitarians wanted to see, in their system. Now, when we have this passage which distinctly affirms that the Saviour of Channing was a divine Saviour, and when we know that Channing's Saviour was not God, I want to know if the defense mean to impose upon me, in the sense of asking me to believe that whenever Prof. Swing uses the words "divine Saviour," he means God? The thing is preposterous; I still adhere to my proposition that there is nothing in Prof. Swing's sermons which rightly require me to believe that he understands Christ to be God. I don't charge him with denying that Christ is God, but if he does believe it, I want him to say so, and he has not said so. Now Mr. Noyes went on and read another paragraph, and whether he intended it, or not, it looked to me as if he meant that the word deity which occurs in the next paragraph and does not refer to Christ at all, was to be the answer to my question—"Find me a passage where Christ is called God?" But it does not mean anything of the sort. I will read.

The world will, sooner or later, be compelled to go to the divine presence—not to human presence—for its new heart.

Mankind has not holiness enough to entice any heart from its sins—has not love enough to persuade, nor power enough to alarm. It is the conception of an ever present God; it is the sublime divinity of Jesus; it is communion with these characters; it is belief in the infinite love, and power, and justice, and in the all pervading presence of Deity, that can give to this world noble, converted hearts, and can bear earth along towards the new birth,—the new genius of human life.

Do you wish me to understand that the word "Deity" in another paragraph, teaches the Godhead of Christ when it has no refer-

ence to Christ? Is there any law of construction which shall require me to believe the word "deity" as used eight lines below the word "Saviour," refers to Jesus, when he has already said that Channing's Saviour is a divine Saviour, and when we know that Channing's Saviour was not God—(if anybody wants to look up Channing—there are his books)—when we know that Channing's Saviour was not God—when he distinctly repudiated the idea—is there any law of construction I say which compels me to put the interpretation on it which the defense seem to desire that I shall put upon it? From the emphasis that Mr. Noyes put upon that passage, it seemed to me that he relied upon that to prove that Prof. Swing held to the deity of Jesus Christ, and that he claimed that he had found a passage which removed the doubt raised by this specification. He has not found a passage in which Prof. Swing called Christ, God. He has not found a passage in which the deity of Jesus Christ has been asserted. He cannot put his finger upon a passage in which Prof. Swing, in all these sermons has made an unequivocal assertion that Jesus Christ is God—that though robed in mortal flesh, he was God Almighty, the Maker of Heaven and earth. He has given me even greater reason to adhere to my assertion in the fifth specification. I do not assert that Prof. Swing denies the deity of Christ; I do not call him an Arian; but I do say it is a very singular thing that in the course of a ministry of some six or seven years, he, believing the doctrine of the deity of Christ, has not uttered a sentence which the accused could bring into court to silence that allegation—not a syllable—not a word.

Now I call the court to witness that giving the passages which are certainly equivocal, to say the least, giving the most favorable construction to Prof. Swing's language, even allowing that in certain passages which were read here yesterday, there were certain things said which seemed to assume the doctrine of pardon and atonement, and sacrifice and regeneration, in the sense in which we understand them—it still remains true that he has not produced a solitary passage to prove this cardinal doctrine of our faith to be held by Prof. Swing. It is a very singular thing, that preaching to his congregation as he does, believing ostensibly that Jesus Christ is God, and man, in two distinct natures, and one person; that he has a human body and a human soul, and that with this human body, and human soul, constituting his human nature, he has also a divine nature—that is to say, was God; this doctrine, holding such a place in our theology that it gives character to every item in our creed—it is a remarkably singular thing that when the defense is called upon to produce a passage in which this doctrine is taken for granted, or unequivocal asserted, it cannot be produced.

Let us pass to another passage. Not only is it true that this fifth specification has not been set aside, but it is also true that the question of Sabellianism has not been explained. Now, mark me. At this point I am not accusing Prof. Swing of being a Sabellian; what I shall have to say as to his belief on the subject of the Trinity is not now in issue. I say he has been unfaithful in the discharge of his public ministry in this respect, that he has given his approval to the doctrine which is commonly called the doctrine of the Modal Trinity, and that with all the ingenuity of my brother Noyes, and with every thing that he has said on the subject, and the very best construction that he has placed upon it, I submit to this court the counsel has said nothing to set aside the force of the allegation to the effect that he has given his public approval to the doctrine of a Modal Trinity. You will remember Prof. Swing has taken particular pains on more occasions than one to ridicule the idea of the Trinity—to make use of the very objection, which, of all others, holds the front rank in Unitarian circles, to the effect that it cannot be conceived—that it involves a contradiction. I don't mean to say that he says it involves a contradiction, but he says that nobody can see how one can be three, and three one. That is the argument of the Unitarians. If there is a solitary thing more frequently than another upon a Unitarian's lips, and which comes more glibly from them, it is that nobody can see how three can be one, or one be three.

Now, if Prof. Swing has given his endorsement to that objection, he is wrong. And not only so. He has not only circulated this false coin; he has not only circulated this slander upon the Presbyterian Church and the Council of Nice, and all the theological standards, but he has gone further; he has gone so far as to put the sign of his approval upon the doctrine which is invented as something to save the doctrine of

the Trinity, and at the same time get rid of what they call the contradiction. "Truths for To-day," page 79:

But while human experience cannot approach the Trinity, it can approach the divineness of Christ; for if Christ be not divine, every impulse of the Christian world falls to a lower octave, and light and love and hope alike decline. There is no doctrine into which the heart may so inweave itself and find anchorage and peace as in this divineness of the Lord. Hence, Christianity bears readily the idea of three offices, and permits the one God to appear in Father, or in Son, or in Spirit; but when the divine is excluded from Christ, and He is left a mortal only.

Did I ever accuse Prof Swing of believing in the mere manhood of Jesus Christ? Did anybody ever think that he had dropped to the level of Socinianism? Far be the thought. What we stand in doubt of is whether he believes that Jesus Christ is God. He must at least be an Arian, for he cannot use this language and be anything less, but we never dreamed of calling him a Socinian, and to put in this expression about being "left a mortal only," is simply to put up a man of straw, and knock him down again. The same idea comes out again on page 81.

For example, if the doctrine of faith plays a more prominent part in the Bible than the doctrine of infant baptism, such also will be the order of their usefulness; and if the three offices of God, as Father, and Redeemer, and Spirit, are made more prominent than the idea that these three persons are one God, then what mankind will need most, and use most will be the three influences, God as Father, God as Saviour, God as Holy Spirit.

Now there is no possible construction that can be put upon this language other than this; that he does *approve*, whether he believes it or not—I don't say he believes it—I don't know whether he is as orthodox as to be a Sabellian—I don't know anything about it—I am not charging that he is a Sabellian; I simply affirm that he does approve—that he does give his approval to Sabellian doctrine, for nobody could hear that sermon and get any other impression from it, than that it was to be intended as some sort of a reconciliation by which there could be a Father, Son and Holy Ghost, and yet one God. When you make that kind of a Trinity, you simply destroy the Trinity. Now, Mr. Noyes quoted to me a passage from Dr. Hodge as if that would be an extinguisher on *this*, at any rate. According to Dr. Hodge, if a man comes out and says he believes there are three persons in the godhead, and these three are one God, the same in substance, equal in power and glory, he would not go on and ask him how it is that there can be three persons, or what these three persons mean. Very well, because if he did he would not get a very satisfactory answer. We don't know much about that; but we do know that there is one God, and we do know that there are three persons, and we know that these three persons are the same in substance, and equal in power and glory. Let Prof. Swing say that, if he believes in the doctrine of the Trinity. Then, instead of saying, I believe in the Trinity in the *evangelical* sense—which may mean this, that, or the other—let him say "I believe that there are three persons in the godhead, and these three are one God, the same in substance and equal in power and glory," and then all this Presbytery will have to do will be to express its disapproval of that Sabellian teaching. The question as to what his creed is, is what we want to know, and he has not told us what his creed is. He has nothing to say on the point as to whether he believes Sabellianism or not.

Nor have the defense been any more successful in their attempts to show Professor Swing's harmony with the Confession of Faith on the subject of justification. Here is the sermon on "faith." We are justified in assuming, in the absence of any unequivocal proof to the contrary, that he does not believe in justification by faith, in the sense in which that doctrine is taught in our standards, and held by the Presbyterian church. Professor Swing kindly told us, yesterday afternoon, that he believed in "salvation by faith." Who ever doubted it? I have no kind of doubt but that Professor Swing believes in salvation by faith; but the question I wish him to answer is, whether he believes in *justification* by faith, and whether his belief in justification by faith is as held by the Presbyterian church? That is the question; the use of the word "*justification*" implies nothing; the use of the word "*faith*" implies nothing. He may believe in salvation by faith. So do the Unitarians. He may believe in justification by faith; so do the Unitarians. But does he believe in justification by faith, as justification of faith is formulated in the Confession of Faith of the Presbyterian church? I say he does

not; at least I say he has taught the contrary, (and that is more particularly the point which is before us,) in his sermon on *Good Works*, and the sermon on *Faith*. It is impossible to reconcile the doctrine then taught, with the doctrine of justification by faith taught in the Shorter Catechism of the Presbyterian church. If any one will undertake to reconcile them he will very soon find out the error. Let us read those sermons; first the sermon entitled "Good Works;" second, the sermon entitled "Faith." Now, I am not going into the argument again; I am going to read from Professor Swing's sermon, and ask the Presbytery to follow me, and form their arguments as I go along. Does Professor Swing teach justification by faith, as that doctrine is taught in the Presbyterian church? What is justification? Justification, according to the Shorter Catechism, "is an act of God's free grace, wherein He pardoneth all our sins, and accepteth us as righteous in His sight;" that is to say, justification is a judicial act of God, whereby, looking upon us, He pardons us, and counts us as if we were righteous—"accepteth us as righteous." Is that the view which Professor Swing has of justification? Let us read from page 111 of "Truths for To-Day."

Faith, indeed, will save a soul, but faith then is not rigidly a belief; it is more, it is a friendship, for the word 'belief' is often wholly omitted, and for whole pages the love of Christ reigns in its stead. In St. John, the word 'love' quietly excludes the word 'faith.' Faith, therefore, being devotion to a leader, a mere belief is nothing. A man is justified by his active affections, and not by his acquiescence in some principle. Thus, faith in the biblical sense, is not a simple belief, but a mystical union with Christ, such that the works of the Master are the joy of the disciple. Works, that is, results—a new life—are the destiny of faith, the reason of its wonderful play of light upon the religious horizon. As man, by his sin, lost the image of God, so by faith, that is, by devotion to Christ, he is by cross, and by forgiveness, and by conversion, rewards of his love, carried back to his lost holiness. Faith is not a simple compliment to the Deity, for it is not God who needs human praise so much as it is man who needs virtue, and hence faith must be such a oneness with Christ as shall cast the spirit more and more each day, toward that uprightness called 'works,' which man has lost, but which only God loves. Hence, James truly says, a man is not justified by what he may believe, but by such newness of inner life as may cast the soul into harmony with righteousness. Faith as a belief and a friendship is good, so far as it bears the soul to this moral perfection. This perfection is the city to which faith is the open way, and the only highway and gate; therefore, by the final works and condition a man is justified.

When we come to the "justified," let us, instead of using the word "justified," use its equivalent—that is to say, "is pardoned and accounted righteous." [The speaker here read the same passage, putting these words in the place of the word "justified."] Now, I wish to know whether any honest, intelligible construction of this passage will allow us to believe that the word "justified," in Prof. Swing's vocabulary, means "pardoned and accepted as righteous." It does not. It cannot. If you put instead of "justified," the words "make holy," "make just," then you can interpret this passage— [The speaker read the passage again, making the change indicated.] If there is anything clear to my mind it is that the word "justified" does not mean "pardoned and accounted righteous," but it means "made holy," in Prof. Swing's vocabulary. That settles this part of justification.

Now, what is the *ground* of justification according to the Presbyterian Church? Let us go over the catechism again, and we shall find what it means.

"Justification is an act of God's free grace wherein he freely pardoneth all our sins and accepteth us as righteous in His sight only for the righteousness of Christ imputed to us."

Now, do you find anything in Professor Swing's sermons, "Good Works" or "Faith," which leads you to look at the righteousness of Christ as the ground of your justification? I do not find a word about the righteousness of Christ. He speaks of justification, and he speaks of faith, but when he comes to speak of the relation of faith and justification, there is not a solitary syllable about the righteousness of Christ. And not only so, but what he does say is inconsistent with the idea that he maintains that the righteousness of Christ is the ground on which we are justified, and is what God looks at when He accepts us as righteous.

Let us read from page 248.

Your Christianity is handed to you by your friends of yesterday. Your hymns and prayers, your music and your church structure, your taste, your language, were all wrought out for you by loving hearts that are now dead. You are the work of the

past. As each child that now plays in its tenth year, speaking a language, singing a song, revealing a refinement, is only a result of a mother's care and solicitude, so the Christianity of your heart or your age is only a work wrought by hands gone from earth long ago. Each new life is borne out of past works, as a rose's bloom is the color of the light that fell upon it in the days that will never come back.

That is very strange language for a man to use who believes that each soul who lives a life of faith has been the subject of the regenerating influence of the spirit of God.

Salvation, therefore, is the result of a holy industry. As the coral rocks, rising to the surface of the tropic sea, are the result of a myriadic life, active through long centuries, so salvation comes to its grandeur in this age by help of myriadic praying and singing lips buried now beneath time's old wave, and forgotten in its oblivion.

By works of others we are thus saved.

Now if a man should say after this that we are saved by the sacrifice of Christ, when we had just said we are saved by the works of other men, how much importance would you expect me to attach to such a declaration? Is there only such a difference between the work of Christ and the work of others as that Christ's work stands *par excellence* as that by which we are saved? But that is not the point I am driving at.

The impulse of this grand Christian industry is, faith in Christ as the soul's Saviour. It has always been the power that has carried the Pauls over the Ægean, or the pioneer Methodist to the wilds of America. It has been the earthquake force that has heaved up from a bitter sea a continent of unfading flowers and perpetual spring. Each heart, busy in any pursuit, moves by a natural impulse. You know what the love of pleasure does, and you know what is accomplished by what the Latin poet calls "accursed love of gold." Beneath all activity lies an impulse, a motive. Under that vast movement called salvation—that movement which to-day gathers the Laplander to a worship, and makes the Sandwich Islands join with the angels in sacred song; beneath the movement which to-day is the best glory of all civilization, under this vast renewal of the heart—lies faith in Christ, the impulse of all this profound action. The least trace of infidelity lessens the activity; unbelief brings all to a halt, and damns the soul, not by arbitrary decree, but by actually arresting the best flow of its life. Unbelief is not an arbitrary, but a natural damnation. Faith in the Infinite Father, faith in Christ the Saviour, faith in the life to come, lifts the world up as though the direct arms of God were around it, drawing it towards His bosom.

And on page 251 he says:

I said that in salvation two things are desirable, a new industry and a new being. We have alluded to the new industry that comes by faith. The idea of a new being needs only a moment's thought. You know of the fabled changes of the chameleon, that it assumes the color of the leaf or rock on which it sleeps; but it is no fable that the heart assumes the color of the soul nearest to it, not in space, but in love. The Mahommedan child assumes the character of that mother who leads it to look to the sacred city and to say Allah. It is thus the world through. The young men of Athens who in love gathered about the feet of Socrates, were changed into his likeness, and he was condemned to death that the public transformation might be arrested. Thus we are all modeled by some character standing above us in reality or by the judgment of our affection. By itself alone each heart is a blank.

The soul attached to Jesus Christ by this faith, which is both an intellect and a passion, is gradually transformed into his likeness, and step by step draws near to that salvation found in perfect virtue.

Now I say this statement is not peculiar to this sermon. That statement simply expresses a sentiment which runs through every sermon Prof. Swing preaches. The cardinal idea—the generic idea of salvation in his mind, is goodness. He continues:

In the face of St. John and St. Paul, and upon the foreheads of the Marys, one may easily see the likeness of Jesus, not in full splendor, but as in the early summer morning one may see the coming day in gentle outline, a radiance in the East.

Now the idea of justification with you, Mr. Moderator, and you, my brethren, is, that we are accounted righteous because of the righteousness of Christ. The idea of justification, according to Prof. Swing, is that we become personally holy by virtue of our confidence in—our love for Christ. That is the idea. Now then, according to the Presbyterian Church and reformed theology, faith is something altogether different from what it is in Prof. Swing's theology. The catechism says that we are justified in the sense that we are freely pardoned and accepted only for the righteousness of Christ imputed to us, and received by faith alone. That is to say, the office of faith is simply to receive the righteousness of Christ. The exercise of trust in Christ is the condition which, being fulfilled, God puts to our account the righteousness of Christ. Is that the office of faith in Prof. Swing's theology? Is that the reason why faith has such a wonderful place in his theology? Not at all. The office of faith

in his theology is to lead us to good works. He says, page 111:

Works—that is results—new life are the destiny of faith, the reason of its wonderful play of light upon the religious horizon. As man by his sin lost the image of God, so by faith, that is by devotion to Christ, he is by cross, and by forgiveness, and by conversion, rewards of his love, carried back to his lost holiness. Faith is not a simple compliment to the Deity, for it is not God who needs human praise, so much as it is man who needs virtue, and hence faith must be such a oneness with Christ as shall cast the spirit more and more each day towards the uprightness called "work," which man has lost, but which God only loves. Hence, James, truly says, a man is not justified by what he may believe, but by such a newness of inner life, as may cast the soul into harmony with righteousness. Faith, as a belief and a friendship, is good, so far as it bears the soul to this moral perfection.

This perfection is the city to which faith is an open way, and the only highway and gate; therefore, by the final works or condition a man is justified.

Now let us read this paragraph and ask ourselves when he uses the word faith in it, whether it is the kind of justification by faith which we preach. Page 251.

Thus faith is perpetually elaborating a new being, is separating the heart from its yesterday of sin, and bearing it towards its morrow of holiness, a law helped into action by a miracle, but yet a law. *No other grace could so save the soul.*

What does he mean by saving the soul? You must go back to his other sermons, and you will find out that by saving the soul, he means making the soul holy, and when he says that there is no other grace that could *so save* the soul, he means that some other grace could do something towards it, but not so much. The reason why faith has its prominence in his theology is that it does more than any thing to save the soul—that is, to make the soul holy.

Charity may do much. It softens the heart and drags along a train of virtue. But it is limited by the horizon of this life. Voltaire and Paine were both beautiful in charity toward the poor, but this virtue seems inadequate.

Charity towards the poor which Voltaire and Paine had, may do a great deal, but it *seems inadequate.* Well, that is an admission. He is willing to go so far, with respect to Voltaire and Paine as to say that while they have charity towards the poor, and while that charity will do a great deal, yet it *seems inadequate;* and he says further. And of the highest form of charity a religious faith is the best cause, and hence charity must take the place, not of a leader, but of one that is led. Penitence is a poor saving grace compared with faith; for penitence is not a perpetual impulse, but only a regret.

Now what is the doctrine of that sermon? It does not mean anything else my brethren than this—that the efficacy of faith consists in the fact that it leads a man to be holy personally, and leading him to be holy as no other grace will, it therefore of all others is entitled *par excellence* to be called the saving grace; and so we are said to be saved by faith; we are saved by faith because faith makes us holy. We are justified by faith for justification means being holy; and since faith makes holy in the sense in which no other grace can, we say we are *justified by faith.* Is that what you believe, Brother Barrett? [Brother Barrett assents.] Well, you are not sound. That is not what the Presbyterian Church believes. Brethren, whether I make the question at issue very distinct or not, you may depend upon it that the whole system of the Confession of Faith underlies it, or rather, is above it, and if you take Prof. Swing's view on the subject of justification by faith then you ruin the whole fabric of the doctrines of Christ, for they are all involved. You may believe it or not, as you please; you may say I am in error, if you like; you may vote against me when you come to vote on this question; you may decide that Prof. Swing holds correct views; but whether you do it or not, I tell you the sermon on "Faith" and the sermon on "Good Works" are no more in harmony with the doctrine of the Confession of Faith than is the Council of Trent—than is the theology of Dr. Horace Bushnell. The theology of Dr. Horace Bushnell is, that Jesus Christ came into this world to show his sympathy for us; that he died a sacrifice in the sense that at the price of his own life he entered into sympathy with us in order that he might win us to a holy love; that justification consists in our living a holy life and that Justification by Faith means that we live a holy life because we have faith in Christ and believe in Him, and believe in the impulses which Christianity engenders. That is his system, and that is Prof. Swing's system, and that is in the very teeth and eyes of the Presbyterian Church, whether you believe it or not.

Mr. Moderator, I am not satisfied, even

after Prof. Swing's own declarations upon the subject and after Mr. Noyes' able defense in his behalf, with his position on the subject of the Inspiration of the Scriptures; and this Presbytery will bear me out when I say that what we believe on the subject of inspiration is not that God in some way inspired Moses and David and the rest; but what we believe is that the Bible is the infallible Word of God, the only rule of faith and practice, and that it is infallible because God spoke through those who wrote the books, and that what they say, God said; so that with equal propriety we can say the 109th Psalm, God wrote it, or David wrote it, as we look at it from the human side or the Divine; just as with equal propriety we can read the epistle to the Romans we can say, God wrote that, and every word is His word; and we can say that Paul wrote that and that every word is Paul's word. Now if you take any other view than this, then when you come to speak of Paul in his epistle to the Romans and to allow that he ever spoke his opinions in that epistle without being under inspiration, you cannot answer your objector who will turn around and say, "That is Paul's opinion." The only way you can get rid of such an argument is to stand up and take the grand old ground that the Bible is the Word of God. If you shake the confidence of the people in the Word of God, then, God help them. If you tell the people that they can take a chapter out of the Bible and say that is not inspired, that they can set up their own standard and let their own reason be the judge as to what they shall regard as true, then you have thrown the Bible to the winds, and you have established rationalism as the basis of faith. I tell you that there is no doubt about how we should deal with a question so serious as this. We may differ with each other in respect to some doctrines; we may differ with our Baptist brethren as to the subjects and the modes of baptism; we may differ with our Arminian brethren as to the decrees; we may differ among ourselves as to the way in which we shall hold the doctrine of depravity—we may differ in all these respects; but all Christians who hold the Christian faith as a supernatural faith should agree with respect to the authority of God's Word. But I affirm that Prof. Swing has made statements both in his sermons and in the newspapers—and those statements remain uncontradicted—the tendency of which is to shake the faith of the people in the authority, and the infallibility, and the inspiration of the Bible. Now, how did he help us? Did he come to us yesterday and tell us that he *did* believe that the 109th Psalm is written by the Holy Ghost? Does he tell us, and has he ever affirmed that the Scriptures are all given by the inspiration of God in the sense that we hold them to have been inspired?

Mr. Noyes.—He does.

Mr. Patton.—He says that he believes in the inspiration of the scriptures. Very well. What did he say yesterday? He said that God could make a bad law, and that he did make a bad psalm. Do you believe that? A fig for your inspiration when we have lost confidence in the God of inspiration! When you have imputed to God the idea that He made a bad law and a bad psalm, then it don't make much difference to me whether you afterwards assert your belief in the inspiration of the scriptures or not. Now, sir, Prof. Swing has not settled that question. He has not answered my difficulties in respect to the laws or to the wars, or to the psalm, and he did not say a word about the Apocalypse—not a word. Now, Mr. Moderator, what we want to know is, whether Prof. Swing believes in the plenary inspiration of the scriptures. Has he taken back that statement that the Jews were wrong in waging a war which they were commanded to wage by the Almighty? Have we from him such an explicit avowal of his views on the subject of inspiration as shall satisfy his brethren? He has made no such avowal; and until he makes it, I shall hold that he has uttered statements, and that he does entertain views in respect to the Bible that are not in keeping with his ordination vows. Now I have traversed the first charge, and I do hope that the Presbytery will keep distinctly before their minds the difference between the first charge and the second. We find in the first charge that Prof. Swing has done certain acts; that he preached a certain sermon, delivered a certain lecture, wrote a certain article; has from time to time spoken in derogation of the doctrines of the Presbyterian Church; that he has affirmed certain principles which are dangerous in their character; made use of certain statements which were unhappy and calculated to produce false impressions; further, that he has taught the doctrine of Sebellianism, or given his approval thereto;

further still, that he has taught wrong doctrine on the subject of "Good Works," on the subject of "Justification by Faith," and on the subject of "Inspiration of the Scriptures;" and that he has still further used language in respect to the inspiration of the scriptures calculated to shake the faith of the people in their integrity. These specifications are now before you, and it will be for you to say whether, in the light of these specifications, you are able conscientiously to affirm that Prof. Swing has been faithful and diligent in maintaining the truths of the gospel as he promised when he took his ordination vows. I do not believe, brethren, notwithstanding the desire which we might have to acquit him—notwithstanding the affection in which he may be held by you—notwithstanding the personal friendship which you have for him—I do not see how it is possible for this Presbytery, knowing these facts, and having this evidence before them, and having the vows of Presbyters upon them —I do not see how you can allow Prof. Swing to go on unimpeded in a course which, to say the least, is dangerous.

But that is not the only charge. If Prof. Swing should come into this court, and should stand in the presence of this body, and should say, deliberately and without equivocation, "I do believe in the doctrines of the Presbyterian Church as they are taught in the Confession of Faith," which is the acknowledged symbol of that church, then the second charge would be dismissed; but it would still remain true that he had taught false doctrine, and it would still be for this Presbytery to express its decided disapproval of that teaching; it would still be for the Presbytery to require of him a retraction of those statements, and a disavowal of the errors contained in them, and an avowal of the doctrines alleged to have been impugned by them; and it would still be for this Presbytery to express its sentiments on the subject of his past unfaithfulness. Whatever may be his belief, this certainly has been his teaching; and so far as his teaching is concerned, this Presbytery cannot allow it to go without its notice.

But now, what is his belief? He has distinctly told you in his plea that the Presbyterian Church actual is one thing, and the Presbyterian Church historic is another; he has distinctly told you that *his* church is the church actual and not the church historic. Now, if he comes and wants to be regarded as a Presbyterian in good and regular standing on the ground that he belongs to the church actual, and if as a matter of fact he affirms that the church actual is one thing and the church historic is another, and if you know what the church historic is, and do not know what the church actual is; then I wish to know how much is involved in the statement that he adheres to the church actual. It may mean any thing. We do not know anything about a formulated New School Theology or a formulated Old School Theology. We have no Old School Theology, and we have no New School Theology. There is one theology in the Presbyterian Church, and that is the theology of the Confession of Faith. The distinction between an actual church and an historic church, is a distinction which this Presbytery, or at all events, the Presbyterian Church, will never recognize in the world. Not only is there no such actual church as distinguished from the historic church, but if there were, Prof. Swing has no right to call himself a New School Presbyterian, because the New School Presbyterian Church never did believe the doctrines which he holds, and never omitted to believe the doctrines which he has repudiated. The *New York Evangelist* has a right to be regarded as some authority when the question of New School Presbyterianism comes up; and it distinctly says that there are very few New School Presbyterians who will regard his picture of Presbyterianism as a portrait of themselves; and I fancy the *New York Evangelist* is right. But that question is not before us. We know nothing in our judicial capacity except the Confession of Faith—that is the statute book of the Presbyterian Church—when we are trying a person for heresy; and Prof. Swing has distinctly assumed that he has left the Presbyterian Church, so far as some of the doctrines taught in that Confession are concerned; he has hinted in a manner by no means obscure as to what the doctrines are he has left behind; and those doctrines are! Predestination for one, perseverance for another, and total depravity for another. He has distinctly said in his pulpit that the Presbyterian Church holds as her creed just the common evangelical doctrines. I deny this. It is not true. There is a ground for the Presbyterian Church as distinguished from the Methodist Church. The Methodist

Church has a right to an existence on the ground of the principles of theology which differentiate it from other denominations; and I honor it for maintaining in their integrity those doctrines. The Baptist Church has a right to an existence separate from the Presbyterian Church on account of the doctrines which differentiate it from other denominations; and I honor that Church for its steadfast adherence to the doctrines which distinguish it. The Episcopal Church has a right to a distinct existence on the ground of the theological principles which differentiate it from other churches; and I honor it for its steadfast adherence to its views. And, by parity of reasoning, the Presbyterian Church has a right to an historical position in this world, and to perpetuate its faith; and whether the faith is right or wrong is not in question. I believe with all my heart it is right, but right or wrong it is a right of the Presbyterian Church to have this faith recognized; and having this right it has a right to require of its ministers that they shall maintain this faith. Prof. Swing has departed from the doctrines which differentiate the Presbyterian Church from other churches; and having departed from them it is the logical conclusion that he would find a better home where his theology would be more in harmony with the views of his coworkers. That is a frank, honorable position, and there can be no other. But that is not all. Not only has Prof. Swing departed from the doctrines which distinguished the Presbyterian Church and which constitute the reason of its separate existence in the world, but he has departed from other doctrines which underlie the whole scheme of evangelical Christianity; and these doctrines are the Trinity and the doctrine of Justification by Faith, and the doctrine of the inspiration of the Scriptures. We make this affirmation on the ground of his teaching. We suppose that what he teaches he believes. Now, if in his public preaching he sees fit to sneer at the doctrine of the Trinity, we are right in believing that he does not hold that view of the Trinity which is formulated in our standards. If he believes in the Trinity as stated in the formularies of the Presbyterian Church, I am so far willing to give him credit for sincerity, as to believe he would not ridicule the doctrines of the Trinity. The fact that he has done so is presumption that he does not believe it; for if he did believe it he would speak of it with respect. Not only so, but in his public utterances he has given his approval to the doctrine of the Modal Trinity in a sermon which I have already read.

Now if he believes in the Trinity, as the doctrine is stated in the Confession of Faith, as it is taught to our children in the Sunday School, in the Shorter Catechism, I think he would not put on record his approval of a doctrine which denies the separate personality of the Father, Son and Holy Ghost, and which affirms that the Trinity is only a three-fold manifestation of the one God. Not only so, but what Professor Swing has taught in his sermons, and avowed on the subject of *Justification*, is not in harmony with the Confession of Faith. I shall not go over that ground again. Now, if it is true that he has taught error on the subject of justification, as he certainly has, it is fair to presume that he believes what he teaches. I give him credit for honesty in believing what he says. Therefore, if his sermons represent the man, they represent him as not in harmony with the Presbyterian church, or with the Evangelical churches on the subject of justification. I do affirm, and shall retain my adherence to the opinion, until he retracts these statements, that he does not believe the doctrine of Justification by Faith, because that doctrine is contradicted flatly in the sermon on *Good Works* and the sermon on *Faith*. I assume that he does not hold the doctrine of the Inspiration of the Scriptures, as the doctrine is formulated in the standards of the Presbyterian church and ratified by this Presbytery within the last three weeks. I say, if Prof. Swing believes this doctrine of the Inspiration of the Scriptures, he could not say what he has said in regard to the One Hundred and Ninth Psalm; and he could not say what he said in regard to the laws and wars of the Jews; and he could not say what he has said in regard to the Apocalypse. Therefore, upon the ground that he teaches what he believes—these statements being uncontradicted, and being in direct opposition to the Confession of Faith—I do assume that he does not believe in the plenary inspiration of the Scriptures, as that doctrine is taught in the Confession of Faith; that he does not believe in the doctrine of Justification by Faith, as it is taught in the Confession of Faith; that he does not believe in the doctrine of the Trinity as it is formulated in our

standards; that he does not believe in one or more of the five points of Calvinism. I say that David Swing does not believe the doctrines of the Confession of Faith. He has denied the doctrine of the Justification by Faith; he has denied the Inspiration of the Scriptures; he has denied one or more of the Five Points of Calvinism; he has denied the doctrines which differentiate the Presbyterian church from other churches, and which constitute the ground and reason of its existence; he has affirmed on the floor of this Presbytery that he gives his adherence to the Presbyterian church actual, as distinguished from the Presbyterian church historical; he has taught in his pulpit that the doctrines to which he gives his adherence are the evangelical doctrines, and not the doctrines which formerly distinguished the Presbyterian church from other churches; and I say he does not believe in the doctrines of the Confession of Faith; and if, in the face of this declaration on his part, and his public teachings, this Presbytery are willing to affirm that he does believe them, then they may do so and take the responsibility. I say he *does not* believe them.

Prof. Swing came into this court and told us something about his views, concerning which we stood in doubt. He told us something on the subject of his statements in regard to the 109th psalm. Did he tell us he believed in the Trinity, in Justification by Faith or in the Inspiration of the Scriptures as these doctrines are formulated in our standards? He said something about believing certain doctrines as they are understood in their Evangelical sense. What we want to know is whether he believes those doctrines as they are taught in the standards of the Presbyterian Church. And until he stands on the floor of this Presbytery and satisfies the consciences of his brethren who stand in doubt of him, by telling them distinctly that it is the Presbyterian Church to which he gives his loyalty as a church and affirms his belief in the doctrine of that church, let him not come and make a creed and ask the Presbyterian Church to believe with him; let him come and tell us that he believes these doctrines as the Presbyterian Church believes them and not as formulated by any Evangelical Alliance or any irresponsible party.

Now one word about this question of liberty. Mr. Moderator, I will say nothing in vindication of my knowledge of the distinctions between the Old School and the New School Churches. I mean simply to say that I was brought up and educated as an Old School man, and I will say here that if there is any odium attached to that name and any obloquy which can rest upon my head for holding the theology peculiar to that branch of the church, I am willing to go through life bearing it. But, I have been the pastor sir, of a New School Church too. And my predecessor in that church was a pronounced New School man, and he trained his people in a doctrinal system which made them first rate theologians. The best people I ever knew were people who for 28 years sat under the teachings of a man who holds a first rank in this country, not only as a theologian but as a logician. A man who knows more about Butler's Analogy than Samuel T. Spear of Brooklyn, is not very often found. To the people over whom he had been so long pastor, I preached and I know that the theology which they held and the theology which I held were the same theology; and it is from the letters of that very people to-day that I am receiving some of the grandest encouragement I have had in carrying on this battle for God's truth.

Mr. Moderator, I suppose if you and I were to compare notes on theology, there might be some points in respect to which we might differ; and when Mr. Noyes quoted Dr. Musgrave to the effect that differences of opinion always would exist, he simply quoted something which every man in his senses would allow. Why sir, the question with me is not whether a man believes in the doctrine of federal headship, or realism, or depravity, through natural relationship; for all these differences are existing in our church and they are taught in our Seminaries. Again, the question with me is not whether a man believes in natural ability or moral ability; for we all admit that a man may hold either view without contravening the Confession of Faith. The question is not whether a man believes in what is called a particular atonement or a general atonement; for we know there are differences of opinion in the Presbyterian Church on that subject which do not affect the integrity of the Calvinistic system, and we all agree that the atonement is *sufficienter pro omnibus, efficaciter pro electis.* The question with me is not whether a man believes

in the doctrines which distinguish the Old School Church from the New Old School Church; and when any man undertakes upon the floor of this Presbytery to say that this issue is an issue which ever existed in the Presbyterian Church between the Old and New School branches, then he undertakes to fly in the face of history. The question is whether the differences of Prof. Swing are differences which interfere with the integrity of the Calvinistic system. I admit freely that the Presbyterian Church is not committed to the *ipsissima verba* theory of the Confession of Faith. That is not the point in issue; but the question is whether Prof. Swing holds a theology which is consistent with the integrity of the Calvinistic system. Well, now sir, when a man denies the church doctrine of the trinity, the doctrine of justification by faith, plenary inspiration of the Scriptures, predestination, total depravity, perseverance, and expresses such views as he has on the subject of Providence and the ministry, and it is affirmed, nevertheless, that he does not hold anything inconsistent with the integrity of the Calvinistic system—then I give up. Why sir, if Prof. Swing can be considered as holding the Calvinistic system when he distinctly tells you that he has left behind him the leading doctrines of that system, if he can be consistently regarded as holding to the Confession of Faith and the integrity of the Calvinistic system, at the same time that he attempts a departure from the doctrine of Justification by Faith which is the back-bone of the system, we might raise the question whether a man might be an atheist and be in good and regular standing in a Christian church. So that this question of liberty must be understood. We do admit—we wish to admit—and we wish with all our heart to admit that free play of individuality in the construction of Presbyterian symbols, which does not interfere with the integrity of the reformed system; and if anybody imputes to me the idea that I am standing for a construction of the Presbyterian creed, which will not tolerate anybody who does not believe in the federal headship of Adam, then he does me an injustice. The liberty however which is consistent with holding to the integrity of the Calvinistic system, is one thing, and the liberty which flings the doors of the church open to everybody, and allows everybody to enter and do as he pleases with impunity, is another thing; and the Presbyterian Church will not live as an organization—it cannot live as an organization—if the ministers of the Presbyterian Church do not love their doctrines enough to stand up for them and to require their brethren to adhere to them or leave her communion.

Now brethren, I am aware that this is not simply the question whether Prof. Swing, individually, holds the Confession of Faith and we individually care to have him stay in the Presbyterian Church. The magnitude of this case arises out of the fact that it is a typical case, and the importance of the issue arises out of the fact that in settling it you do give your own judgment, whether the Presbyterian Church has a creed, or whether broad churchism without limit is to be the policy of the future. That is the issue. And in determining it we may very well leave Prof. Swing and Prof. Patton out of the question; you may, very well, when you go to make up your verdict, forget the prosecutor, and forget the accused, and in view of the evidence before you simply determine that in the decision you give, you will settle the question so far as you are concerned, as to your wishes respecting the future policy of the Presbyterian Church. Let me say that you have the eyes of the Presbyterian Church upon you to-day. Never in her history has there been a time when men looked more anxiously upon a proceeding than they do upon this. Presbyterians throughout the land, see in this a typical case, and ask the question whether, when the trial comes, the Presbyterian Church will be true to her standards; whether she will maintain the flag of Presbyterianism at the mast-head, or bring it to the deck—that is the question. The Presbyterian Church throughout this land is looking upon this Presbytery, and the Presbyterian Church expects every man to do his duty. Whatever pain it may cost you, and however great may be the struggle, if you do find that Prof. Swing does not believe the doctrines of the Confession of Faith, it will be your duty to say that he cannot be a minister of the Presbyterian Church.

After prayer the Presbytery adjourned to meet on Monday, the 18th inst., at 10 o'clock A. M.

MONDAY, May 18th, 1874, 10 o'clock A.M.

The Presbytery convened and was opened with prayer, by the Moderator.

Inter alia:

It was resolved, that the roll be called in order to make up a correct list of those entitled to vote on the case, and that all members whose names are at present on the Roll shall be entitled to vote, unless their right shall be challenged, as their names are read. During the calling of the Roll, Elder Spring asked to be excused from voting because of his absense during the taking of testimony, which was granted.

Elders Hart, Leonard, and Frost, being found absent, it was moved that no action be taken in their cases until they appear in the house.

The following resolution was adopted.

Resolved, that the Roll be now called, and the members proceed to express their opinions on the case, it being understood that each member shall be allowed ten minutes in which to state his opinion, with the privilege of speaking as much longer as others not speaking may give him their time.

The stated clerk than began the calling of the Roll, and opinions were given in the following order.

OPINION OF REV. DR. R. W. PATTERSON.

Mr. Moderator:

I perhaps owe an apology to the judicatory for attempting to canvas this question somewhat at length. I have been requested to do so by a considerable number of brethren, who wished to have their views substantially in regard to the matter so presented, that there would hereafter be no misapprehension with respect to the ground, in the main, upon which they and I probably would vote, particularly the constitutional questions involved.

I have endeavored to consider candidly all the aspects of this case that have come before my mind; and I trust I have not suffered any previous commitment to swerve my judgment in any essential respect.

The following seem to me the material points that claim special attention:

First, I have a few words to say in regard to the general subject of discipline in cases like the present. I am not one of those who denounce all disciplinary action on the part of our judicatories on account of alleged error in doctrine or defective public teachings. Every church, at least every Evangelical Church, has its distinctive principles, which it must defend against manifest and willful infringement. The same is true of every permanent organization in the world.

But there are certain great ideas that ought to govern us, especially in relation to the exercise of discipline for alleged departures from the faith of the church, or shortcomings in the discharge of ministerial duty.

I. In all doubtful cases it behooves us to lean towards the side of liberty. It is my judgment that all orthodox churches possessing a wide ecclesiastical power, where there has been no connection with the state, have suffered more from too many than too few attempts at discipline for alleged unsoundness in the faith. Certainly this has been true in the history of our own church. Why the division in 1741 but for the exercise of doubtful prerogatives? Why the Cumberland Presbyterian schism but for an unwise use of authority when forbearance would have saved a large and useful element to the church, which we are now endeavoring to recover? Why but for a like cause, the great division of 1838, which was healed four years ago without any material concessions on either side, except to ignore previous action? In doubtful cases it is safest to pronounce in favor of liberty.

II. To secure the ends of discipline we must carry with us the consciences not only of our own church but of other churches, and of fair-minded people of the world. Any action that seems to savor of needless severity, even if lawful, is not expedient, unless vital interests are clearly at stake. We ought to have grounds for discipline, in a case like the present, that cannot be candidly questioned before we exercise it, otherwise reaction and disaster will inevitably follow. What if some errors have been committed? They should be such as are not incident to ordinary human frailty, where we can believe that the heart has been right, that it may not be said to us, let him that is without as great or like sin among you cast the first stone. There may be errors and faults which cannot be easily reached by discipline because they are only mistakes of judgment, and involve no intentional wrong. It is too late in the day to hope for the correction of such evils by a lordly exercise of ecclesiastical power. If there has been hypocrisy

or gross misdemeanor, let it be clearly, unequivocally shown, and then let the sword be used, and not until then. We stand on critical ground. Better take no action for conviction than to take doubtful action, the consequences of which may reach through a whole generation. And if any person then, is determined to continue the strife, let the responsibility be upon his own head. Truth is often better vindicated by its own power than by the sheer authority of a bare majority.

II. What, now, are the questions at issue?

1. Not whether Prof. Swing is altogether right in his views of Presbyterianism, actual and historical. He may be partly wrong on this point, and yet hold and teach in accordance with our system. Our form of government provides for the amendment of the Confession as well as of other parts of the system; which implies that there may be a majority of the whole church who feel that the time has come for revision; while they believe that the Confession as it is, contains the system of doctrine taught in the Holy Scriptures. Prof. Swing may be right or wrong as to the extent to which such convictions have gained ground in the church, and as to the changes that have occurred on the subject of theological preaching, and yet be guilty of no ecclesiastical offense. Prof. Swing has said that some of those formulas have been passed by as incorrect which look towards a dark fatalism, or towards infant damnation, etc. It would be more accurate, perhaps, to say that these statements are not regarded by a large portion of the church as happily expressing the truths for which they treat. For example, it is said in our Confession that elect infants dying in infancy are saved by the blood of Christ—a form of expression which I venture to say would now be avoided by three-fourths of our ministers as looking towards or seeming to imply, a dark fatalism, by suggesting the question, What, then, of non-elect infants? Calvin's Institutes were published by the Presbyterian Board of Publication (O. S.), in 1841, with only the general disclaimer on the subject of reprobation, that they "may be regarded as too unqualified." And this work is still circulated by the funds of our church. In these Institutes (book 3, chap. 23, sec. 7,), occurs the following passage: "I inquire again how it came to pass that the fall of Adam, independent of any remedy, should involve so many nations, with their infant children, in eternal death, but because such was the will of God?" Then it added: "It is an awful decree, I confess," etc. Again he says (vol. 2, book 4, chap. 16, sec. 7): "If any of those who are subjects of divine election, after having received the sign of regeneration, depart out of this life before they attain years of discretion, the Lord renovates them by the power of His Spirit." So in other passages. Such language used in one of our books tends to fix an interpretation upon our confession which it seems worth while to disclaim as not indorsed, now at least, by our church. And I may here say that it seems to me, on the reading of Calvin, that his idea is that, while the children of believers dying in infancy are saved, though they may not have been baptised, he doubts the salvation of those whose parents are not in the covenant. Whether some of the Westminster divines may have held that there are non-elect infants, I do not know. Again Calvin, says (book 3, chap. 23, sec. 1): "It is not at all consistent to transfer the preparation (of sinners) for destruction to any other than the secret counsel of God; and which is also asserted just before in the context, that God raised up Pharaoh, and whom He will He hardeneth. And hence it follows, that the cause of hardening is the secret counsel of God." And so in many other passages. The language of our Confession may possibly be explained in consistency with a less dark view than this. But who of us would now select precisely the language of chap. 3, secs. 3 and 4, as in the best way expressing our view of predestination? We differ among ourselves on the subject of reprobation, and some pass it by as not essential to the system of doctrine taught in the Holy Scriptures. Still, Prof. Swing holds, as we all do, to the doctrine of Divine Sovereignty in every sense not inconsistent with the freedom and responsibility of man. As to his views of doctrinal preaching, he may be wrong, and yet be guilty of no ecclesiastical offense, so long as he recognizes the fundamental ideas of Scripture, as to the way of salvation. His preaching may be defective, seriously so, as that of others who insist too little on love and free grace, and too much on the sovereignty of God, and yet there may

be no ecclesiastical offense, unless we are all to be arraigned before a critical tribunal for the imperfections of our work.

2. Nor is the question, whether Prof. Swing always uses the best language, or expresses himself with such clearness that he cannot be easily misunderstood. The inspired writers are liable to be misunderstood on many points. James certainly teaches that "a man is justified by works, and not by faith, only;" and he nowhere explains his meaning so as to reconcile his teachings with those of Paul. And our Saviour himself says: "My father is greater than I," which has been widely misunderstood. Were not James and his master then evangelical preachers? No "doubts" as to Prof. Swing's meaning, industriously circulated by any of his brethren, are sufficient proof that he means to obscure the truth. Why, I have myself been claimed by Unitarians, while using the sharpest discriminations in my power to prevent it.

3. Nor is the question whether Prof. Swing preaches in language which no ingenuity can possibly reconcile with Unitarianism or some other scheme of error. Some men preach in the light of sharply-drawn theological distinctions, and are constantly fencing against error; while others as faithful, to say the least, preach in less discriminating terms, but in popular language to the people, and like James and Jesus himself, seldom use language on any doctrinal point that could not be easily misunderstood, and still like Jesus and James, they teach no false doctrines, and seem to teach none except when their words are perversely twisted by wily critics who choose to compare their expressions with those of some almost evangelical preacher, who does teach positive errors along with his approximations to the true Gospel. It is not five days since a letter was received in this city from an honored minister of our church residing in a distant city, in which he expresses his admiration of the manner in which Prof. Swing puts the truth in his volume "Truths for To-day," which the prosecutor has found to be so full of heresy.

4. Nor is it the question whether Prof. Swing has not sometimes used faulty language. There is seldom a bold and poetical preacher who does not often use expressions that are open to criticism, and that seem to border on doubtful views. Prof. Swing, it must be repeated, does not profess to be a theologian, and in the circuit of his wide illustrations and rapid grouping of generally related facts and ideas, it would not be strange if he should sometimes put things in such relations as to afford opportunity for an ingenious critic to detect appearances of implied error when none was intended or thought of by the speaker. Perhaps we cannot explain or defend all of Prof. Swing's expressions, but this is not the point.

5. The real questions are these:

Is there clear proof that Prof. Swing does not sincerely receive and adopt the Confession of Faith as containing the system of doctrine taught in the holy scriptures? And has he been unfaithful in such a sense as to constitute an ecclesiastical offense, in the discharge of his ministerial duties, in the respects named by the prosecutor? I put the point of the second charge first and the first last, where they properly belong.

III. Now how are we to answer these questions?

1. We must inquire what a sincere acceptance of the Confession involves. There is a wide difference between a cordial "reception of the Confession as containing the system of doctrine taught in the Holy Scriptures," and receiving every word and letter of the Confession, as the best possible expression of divine truth, or as even being correct at all points. A man may not accept the entire Confession, *ipsissimis verbis*, and yet be a good Presbyterian. This, even Dr. Hodge freely admits, in *The Princeton Review*. But a minister of our church must hold, it is said, the essentials of the Calvinistic system, as embraced in the Confession. Very well. But what are these essentials? The reunion of our church was effected on the doctrinal basis that, "The Confession of Faith should continue to be received and adopted as containing the system of doctrine taught in the Holy Scriptures." But the question returns, how shall we determine how much was meant by this language, as used by the two bodies when they came together? The church had been divided mainly on account of different constructions of the terms of subscription to the Confession, and had stood as two bodies from 1838 to 1869. In 1837 the doctrinal views of the New School party were expressed in a protest in the General Assembly embracing sixteen propositions, which were by no means co-extensive with the letter of the Confession, and which the Old School majority of the body regarded as af-

fording such evidences of unsoundness on the part of the protestors, that they adopted a resolution, that certified copies of the protest be sent to the Presbyteries to which the signers belonged, "calling their attention to the development of views contained in it, and enjoining them to inquire into the soundness of the faith of those who had ventured to make so strange avowals as some of those were." But the world does move, and there is progress in some very conservative bodies. In August, 1837, a large convention of New School ministers and elders met in Auburn, N. Y., and the same statements of true doctrine that had been drawn up by the protestors in the Assembly, in May previous, were adopted by them as an expression of their faith. Now mark the point. In the Old School Assembly at Albany, in 1868, a protest against the action of the Assembly in favor of reunion on a given basis, was presented by the minority, one of whom is now a member of this body. And in an answer to that protest, which was adopted by a large majority of the Assembly, it was asserted, by way of defending the New School body against the charge of holding or cherishing errors in their connection, that the "Auburn declaration;" the same statements made by our protestors in the Assembly of 1837, and then pronounced unsound, "embraces all the essentials of the Calvinistic creed." And the late Dr. Richards, who is called "that excellent and sound divine," is said, by that Old School Assembly, to have been the leader of the Auburn Convention—the same man who wrote the tract on General Atonement, which is now among the publications of the General Assembly's Board. We have thus a tolerably good definition of what the New School theology is, which was endorsed by the Old School Assembly in Albany, in 1868, as sufficiently Calvinistic. In the reunion, Albert Barnes, and N. S. S. Beman, and S. T. Spear, and Dr. Hickok, were accepted as good Presbyterians; whose doctrinal views had been long before the public, and not one of whom received the entire Confession of Faith, to the letter, in its obvious sense, as expressing the whole truth and nothing but the truth. Now, I venture to say, that the prosecutor regards all these men as far astray from our Confession, although he says he would not disfellowship them. But it is to be shown that Prof. Swing does not receive and adopt the Confession of Faith as containing the system of doctrine as it was held by the signers of the Auburn Declaration, and the great body of New School men at the time of the Reunion; otherwise the charges are not proved. For such latitude of construction was clearly understood to be allowable, when the Reunion was effected. Accordingly Dr. Adams publicly declared to the Old School Assembly, before the terms of reunion were agreed upon, that we New School men should stand as the advocates and representatives of liberty. And his speech was warmly commended.

More than all this; in the introduction of the Plan of Union adopted by the two Assemblies at New York, it is declared that we "each recognize the other as a sound and orthodox body."

I suggested this clause myself, as a member of the re-union committee. It was at first objected to as unnecessary by one member of the committee, but was afterwards adopted unanimously by both Assemblies. In this manner the soundness in doctrine and discipline, of the New School Church, was in terms acknowledged; which covered the whole ground of liberty that had been aimed at in the clauses that were embraced in the terms of the plans acted upon in previous years. For our object was to secure an adoption of the liberal mode of subscription to the Confession that had been always allowed in the New School Church. But it will be asked, why the terms proposed in 1860, with what was called the Gurley clause, were rejected by the Presbyteries, and the terms of 1869 were accepted, if both mean the same thing as to liberty? I answer because the plan of 1869 was encumbered by other offensive conditions against which many of us voted in the Presbyteries; and because it was deemed equivocal, and therefore suited neither party. I opposed the plan of 1868, but endorsed the plan of 1869, when once I was assured by many leading men in the Old School Body that we would be allowed the same liberty under the terms of union, which we had always enjoyed in our free New School Church. It was thus on the basis of continuing to receive and adopt the Confession of Faith as containing the system of doctrine taught in the Holy Scriptures, as both bodies had before received and adopted it, that the re-union was effected. It was understood on both sides that the Auburn Declarations were sufficiently orthodox as an

expression of faith, although they presented a modified type of Calvinism.

If we were deceived in this, we must have been willfully betrayed by our brethren, and guilefully caught in a trap—which I do not believe. A man may, therefore, be a good Presbyterian in the re-united church, who does not accept the doctrines of reprobation and election, and limited atonement and inability and imputation, according to the sterner interpretations of them that were given by Calvin and a large portion of the Presbyterian Church. But Prof. Swing declares that he is a Prebyterian in the New School sense. The question is now, have the prosecution proved that this declaration is untrue? If not, the second charge falls on purely Presbyterian grounds. It is merely an inference that his views are in every sense uncalvinistic, because he does not accept the formulated theology under those aspects of it that are held by him to look towards a dark fatalism. The Confession he accepts as containing the system of doctrine taught in the scriptures, but not as being a perfect expression of that system, or as bearing no shade of exaggeration on the side of divine sovereignty, and against the liberty and responsibility of man. If such a reception of the Confession is not allowable, if we must all hold and teach the words of the Confession at all points, let me be assured of it, and I will instantly assert my freedom and manhood by going out of the church into broader and greener pastures. But I do not believe that our church requires any such thing.

2. Then, as to preaching and teaching in the church: is it to be understood that a man must declare *unequivocally* the Old School theology, or even the New School theology, or any formulated theology, or be open to ecclesiastical impeachment as unfaithful in the sense of committing an actionable offense? May not a man preach the gospel for years, and yet never once guard against carping cavilers, using terms in their accepted evangelical sense when occasion requires, and using them in other senses when the connection suggests another use, with the same freedom that our Saviour asserted when he sometimes spoke of "the regeneration" in a wide sense, and again of the personal new birth with a more restricted meaning? And is a man to be disciplined for unfaithfulness if he sometimes unwittingly uses vague or ambiguous language in his preaching, or if he is misunderstood by some of his hearers, while the great majority are not only delighted by his public presentations, but are, as they deem, highly benefited in point of spiritual experience? Is it a law of the Presbyterian Church that every preacher shall preclude all possibility of misinterpretation, and teach evangelical truth with all the precision of a theological professor? And are the people and elders of our congregations to be told that they are unable to distinguish evangelical preaching by its language and spirit, because they cannot bear a theological examination? Such assumption would be fitting for the Church of Rome, but cannot be accepted in the Presbyterian Church of the nineteenth century. It is enough for ecclesiastical purposes that a Presbyterian minister uses the current theology of the pulpit of his own church on doctrinal points, and teaches nothing contrary to the truths which this phraseology is commonly understood to convey.

3. Now let me say, in the next place, that we are, in my judgment, bound to interpret the language used by the accused with a generous spirit, according to his position, and with due regard to his mental and rhetorical habits. He is a Presbyterian minister, and has professed to receive and adopt sincerely the confession of faith as containing the system of doctrine taught in the holy scriptures. He now claims to be a New School Presbyterian, and alleges his belief in the fundamental doctrines which he has been accused of rejecting, using the descriptive terms in the evangelical sense—in the sense of the Evangelical Alliance. Are we not, in all fairness, bound to accept his declartions as honestly made, in the absence of clearer proof to the contrary? The prosecutor has ingeniously endeavored to throw the burden of disproof on the accused. And even if we should admit, which we do not, that some slight presumption was raised against Prof. Swing's soundness in the faith, by the "doubts" which the prosecutor has done more than all others to circulate, this presumption would be effectually overcome by the testimony of his elders —his regular hearers, who are certainly men of average intelligence, equal to the elders in this body who are now sitting as judges and jurors, and who tell us that Prof. Swing preaches and teaches evangelical

truth in the same terms essentially as they have been accustomed to hear it taught by other ministers of the Presbyterian Church; and that they never heard a word of unevangelical teaching from his lips, either in public or in private.

Are we, then, to assume that Prof. Swing has been playing the role of an adroit knave —using words to deceive, and carefully hiding his real meaning under ambiguous terms? Prof. Patton, in his closing address last Thursday, to make a point, insisted that we ought to give Prof. Swing the credit of honestly saying what he meant. But in the whole of this prosecution he has assumed the contrary of all this; he has assumed that Prof. Swing has artfully covered up his real opinions, so that only a skilled professor could effectually detect and expose his hypocrisy. Which of these conflicting representations are we to accept? Dare we assume that a Christian minister of our church is a willful deceiver and a hypocrite, without unquestionable proof? We are told that his expressions, "trinity," "divinity," "regeneration," etc., *might* all be used by a high Unitarian, like James Freeman Clarke, and that Prof. Swing uses such words, sometimes out of their ordinary, scriptural sense. This is partly true and partly not true. James Freeman Clarke in the work appealed to, is avowedly endeavoring to approach the orthodox in the use of terms, and does use such words as "Trinity," "Divinity of Christ," and "Regeneration," with explanations of the Unitarian sense in which they are used. But Prof. Swing uses them from his evangelical standpoint, without explanation, and without any hint of a Unitarian sense.

What does common honesty require of us in such a case? Why, clearly to accept his language, not in some forced sense, but in its obvious meaning, assuming that he is not a knave. And as to an occasional use of such words as "divine," respecting the spiritual nature and relations of man, by such a poetic writer, it is easy to see the meaning: while it is impossible to interpret the word "divinity," as applied to Christ, in any such inferior sense, in many passages. For example, in the sermon entitled "The world's great need," we find these words: "In religion it is not otherwise, and hence most useful must be the form that makes of Christ a divine being, and invites the heart to move about such a centre of power, holiness and love." * * * * * "The moment you declare Christ only a human being, you have weakened his influence upon the soul." Does Prof. Swing use the term "divinity" in the high Arian sense? Not so, says Prof. Patton, for he is a Sabellian, or indorses Sabellianism. But the Sabellians do not scruple to call Christ God—e. g. the Swedenborgians. If, therefore, Prof. Swing had used the word "Deity," in speaking of Christ, it would not have satisfied Prof. Patton any better than the word he has used, for even Dr. Chapin calls Christ God.

In the same sermon the moral and spiritual ruin of man, individual regeneration by the Holy Spirit, and a new heart, are clearly recognized. But here again, we shall have the subterfuge of a deceptive use of language, to explain away this plain use of words. So, when Prof. Swing tells us of the final separation between the righteous and the wicked, we are told that his words are equivocal, and then an appeal is made to James Freeman Clarke to show that even the phrase "eternal punishment" is equivocal. Then all the words of Scripture are equivocal, and we can find nothing truly evangelical in the Four Gospels, or in the writings of the apostles. Does the cause of truth require such treatment of a man's language, or such an assault upon his honesty, without a shadow of proof? It will not do.

5. Again: We are to interpret the language of Prof. Swing in the light of his mental peculiarities, his purpose in preaching, and his circumstances.

His mind is semi-poetical, semi-philosophical.

Such men are always prone to express themselves obscurely, while frequently using language with great perspicuity,—e. g. F. D. Maurice. Prof. Swing sometimes calls the gospel "a mode of virtue:" sometimes he calls God a "peace," etc., as John calls him "love" and "light." His general meaning is not obscure, if his words are fairly dealt with. But the words of Jesus will not bear torture. Prof. Swing has felt long and deeply the need of a better Christian morality in society, and hence he dwells much on the necessity and value of good works, as James did. He distinctly recognizes the atonement and forgiveness as parts of salvation, but lays out his strength on the side of works, like James, whose letter Luther calls

an epistle of straw. It is in this connection that he is alleged to sneer at imputation and other doctrines; but it is at the perversion of them that he aims his shafts, as our Saviour quoted the language of Moses as misapplied by the ancients, when exposing their false constructions.

Lastly, on this point, Prof. Swing has preached since the fire, in peculiar circumstances,—once each Sabbath to a mass of people, most of whom were not regular hearers, and many of whom were not convinced that the Scriptures were from God. In such circumstances he was naturally led to adapt his sermons on the Sabbath mainly to his outside hearers, and reserve his more doctrinal addresses to his church for Wednesday evening lectures. Does it argue unfaithfulness in him to have shaped his discourses for the benefit of the multitude whom he wished to bring to the acknowledgment of revealed religion? Some of us might have pursued a different course, but would it have been a wiser course? It is easy to find fault with a man who followeth not us. But is it charitable and Christian to act the enemy towards a man because he may gather about him a crowd of Unitarians or Universalists, or miscellaneous people, whom he tries to draw gradually to the Cross of the Redeemer, —a multitude whom no one else among us is able to reach? "Your master receiveth sinners and eateth with them," was a complaint made long ago.

5. A word now in regard to the testimony in this case. Besides the stand-point of Prof. Swing as a Presbyterian minister, it is legitimate to appeal to his preaching and teaching before he ministered to the Fourth Presbyterian Church, which embraces the membership of his former church with that of the Fourth Church. It is also relevant to appeal to his lectures and private avowels. For all these are explanatory of his stand-point, and help to explain his language in the light of his actual views as they are thus more fully revealed, both for the time before and after the Fourth Church was organized. But the evidence under all these heads is clear and unequivocal, unless we assume that his elders were too stupid to know what evangelical preaching is, or that he has been acting the part of an adroit deceiver. And some of the testimony in this category is positive and clear, as the report of special theological conversations with Prof. Swing on most of the points in question. The only answer to this is, that Prof. Swing has thrown dust in the eyes of men who claim to know something about theology, though of course, less skillful in detecting errors than the prosecutor. Thus we are reduced again to the conclusion, either that Prof. Patton's inferences are false, or else that Prof. Swing, for whose integrity the prosecutor says he has a high respect, is an artful hypocrite. There is absolutely no other alternative. Let those who know Prof. Swing judge which conclusion is the more likely to be correct.

That Prof. Swing often uses language without stopping to explain his meaning, which may be easily misunderstood if separated from his main design and taken out of its connection, I freely admit; and, therefore, he often says in one discourse what he might be construed as contradicting in another discourse. But I repeat that his language in such cases should be charitably construed, in the light of his views, as more deliberately declared at other times. Few writers are really more self-consistent, and yet very few can be so easily made to seem self-contradictory.

6. Let us now proceed to notice the several points embraced in the charges and specifications, as far as they appear to merit special attention after what has been said. And for the sake of avoiding confusion, I will take first, the positive allegations against Prof. Swing's soundness in the faith, and then consider the charge of unfaithfulness. For in his ministerial vows he first adopted the confession as containing a system, and then promised to be faithful. Let us follow the same order.

The first five specifications under Charge First are alleged in support of Charge Second. These specifications if in the main established, would not prove that Prof. Swing does not honestly receive and adopt the Confession of Faith as containing the system of doctrine taught in the holy Scriptures. They might raise a presumption against the honesty of his subscription to the Confession as required, but it would remain to be said that he might believe that the doctrines of the Confession are more or less clearly taught in the Scriptures, and yet he might regard many of them as not having the prominence in Scripture which they have in the Confession, and therefore he might even ridicule the emphasis which is laid upon many of them as

they are insisted upon in many pulpits. But, of course, I do not admit that these five specifications have been established. I simply pass them over till I come to the charge of unfaithfulness, because it will be admitted that these are only auxiliary to the other and graver allegations which I am about to consider.

The Seventh Specification is the next one relied on by the prosecutor to sustain the charge of heresy. This specification alleges that Prof. Swing teaches a phase of evolution which the prosecutor deems heretical. It is a pity to disturb the relevancy of Prof. Patton's interesting lecture on evolution, but Prof. Swing does not accept any phase of it, as commonly understood. In his sermon on "The Lost Paradise," (Truths for To-day) he says: "The theory most in conflict with this little picture of primitive man is the almost popular motion that man is a gradual result of progress in the animal kingdom, and never had a paradise, but is on the way towards one, from a cellular and electric starting point a million years back." And he closes the conclusive paragraph with these words: "The best reason I can myself bring to bear upon this matter leads me to see man setting forth as man, and setting forth from a Creator; hence he had a place which we may call Eden, and easily reason may join the Bible in giving it river banks, and trees, and flowers, and the song of birds." But it will be said that the quotations in the specifications at least prove that Prof. Swing holds that man at first occupied a very low plane, from which he gradually came up afterwards; and that he was not personally holy; also that religion made the Bible, etc. But how does it appear that Adam was highly civilized and enlightened by special, miraculous agency? Very possibly he may have been, but who knows? Prof. Swing says ("Value of Yesterday," p. 72,) "That according to the only two theories, there was but one human being in the outset; and that one a human being defective in language, in art, in learning, in hope, in memory." Does the prosecutor know that this was not so? Again Prof. Swing says (page 73): "Could the divine virtue be perceived by a being that had not perceived sin?" He thus asserts that man was at first holy, and when he speaks before of "the day when earth possessed but one man or family, and that one without language, and without learning, and without virtue," he evidently means "defective in language, art and learning;" and without virtue, at least after the fall. This does not contradict our confession at all. As to the display of the divine perfections in the first human being, the meaning is made plain when it is said afterwards that "in order that God should reveal Himself, a race was necessary," etc., not in order to some revelation, but in order to make any full display of His attributes. How could God display His attributes through one man when there were no other human beings to witness the display? But Prof. Swing says the Bible did not create religion. Did it? Or was there a true religion before Moses wrote his five books? "Our own nature," says Prof. Swing, "has forced up Christianity out of the spirits rich depths." But he immediately adds, by way of explanation, "as the hidden music of the old fabulous statue became vocal when the sun rose each morning upon it, so when Christ came he only awakened to its divinest strain a music whose origin was far above and back of Bethlehem and the cross." Christianity was not, then, a spontaneous development of man's nature, but a fruit of Christ's appeal to man's religious susceptibility. But enough on this specification.

Specification eighth demands but a word of remark. The illustrations used by Prof. Swing show that by "standards" he means exact measures of moral ideas. And have we any such standards? The passages quoted do not show at all that he denies that we have general and infallible rules of duty. It is from different and remote parts of the discourse that the other quotations are made, and the passages simply state the notorious fact that the creeds of men are modified to a great extent by their surroundings, for better or for worse, while a peculiar demand is recognized for particular themes in each age. It may be that Prof. Swing and others of us yield too far to this demand, but this argues neither such heresy nor unfaithfulness as to constitute an ecclesiastical offense.

Specification ninth accuses Prof. Swing of Sabellianism, and alleges that he treats lightly the church doctrine of the Trinity. But the alleged proof of Sabellianism utterly breaks down, because it consists in a statement which we all admit to be true, and we are certainly not all Sabellians. The statement is "that Christianity bears readily the idea

of three offices, and permits the one God to appear in Father or Son or Spirit." Who denies this except Unitarians? Are there not three offices, and does not the one God appear in each? Prof. Swing does not here assert that there is an eternal distinction of persons in the divine nature; he simply speaks of the three-fold revelation of the one God in His practical relations to men, and this he thinks is the side on which the doctrine of the trinity can be experienced, while the scientific statement of it, he thinks, cannot be so brought home to the heart as to test its truth. I have seen substantially this statement defended long ago, by an orthodox German writer. Prof. Swing's Sabellianism, if real, ought to make it easy for him to call Christ God, which the prosecutor charges that he studiously avoids. The allegation is not proved, and I know it is untrue, for Prof. Swing told me his views on that point before this prosecution was commenced.

Specification tenth is not relied on as proof of heresy, and I pass over it for the present.

Specification eleventh is based chiefly on the declaration that "the nations await with tears of past sorrow a religion that shall indeed baptize men and children, either or both; but counting this only a beautiful form, shall take the souls of men into the atmosphere of Jesus, and into the all-pervading presence of God." Prof. Swing does not mean that the religion of Christianity is to be superseded by some other religion, but that the practical religion of our time will give place to a better and more scriptural type of Christianity, which will treat baptism not as a saving ordinance, having in it an inherent efficacy, but only as a beautiful form —beautiful because a significant and impressive divine ordinance. And this is all that many of our ministers hold in regard to baptism, if they do come short of the Confession, as interpreted by the prosecutor. I would not myself adopt the words of Prof. Swing on this subject, but neither would I indorse the statement that the doctrine of our Confession is partly sacramentarian. I see neither heresy nor flippancy in the language which Prof. Patton deems so dangerous.

The twelfth specification alleges that Prof. Swing contradicts the Confession because he seems to admit that Socrates and Penelope were more cordially welcomed into heaven than the notorious Catharine II. of Russia Well, I do not know that any of them are in heaven, and I do not suppose Prof. Swing meant to be understood as asserting that they are. But if such was his meaning he did not differ from prominent Presbyterian ministers of the former Old School Church, who have believed that some rare individuals of the heathen world may have exercised repentance and faith toward God so as to be saved through an atoning sacrifice of which they were ignorant. And I do not see that the Confession pronounces on that question.

As to specification thirteenth, the proof seems to me to be wholly inconclusive and I will not dwell on it.

And I pass over specification fourteenth with the single remark that our Confession does not assert that man receives personally a special call to the ministry, but only that the office is one of divine appointment, which Prof. Swing fully admits.

Specification fifteenth is based upon Prof. Swing's remarks respecting gift worship. But Prof. Swing does not deny that God commanded the Jews to offer sacrifices as shadows of the Redeemer's sacrificial death. He expressly says that the sacrifices of old were "the shadow of a coming reality." And he recognizes their "relation to a coming Calvary." How, then, does this teaching conflict with the Confession of Faith?

There is manifestly no conflict.

I pass the sixteenth specification for the present, as it is not relied on as proof of the charge for heresy.

The seventeenth specification has not been proved, in the sense of the prosecutor. Prof. Swing, like every other man who takes a wide range in the use of language, and like the Bible itself, does sometimes employ the same terms to convey different ideas. But the connection always makes his meaning plain in such cases. I have in my possession a sermon by Dr. Post, of St. Louis, on National Regeneration, in which the word regeneration is not used in its scriptural sense at all. But there is no man who holds more firmly than Dr. Post to the doctrine of personal regeneration by the Divine Spirit. So our Saviour speaks of the regeneration when the Son of Man shall come in His glory. But our Saviour was orthodox, as I suppose. The other words quoted, I could easily show, are employed in no wider or more varied senses

than are given to them in many different connections in scripture. But does it follow that when Prof. Swing uses these words in connections where their evangelical import would be naturally understood, he is equivocating? A man who has a case to make out may say so, but scarcely then, if he wishes to have his brother fairly interpreted.

Specification eighteenth is manifestly without proof, for it is based on the false assumption that to maintain that unbelief does not destroy the soul by an arbitrary decree—that is, a decree depending merely on will—is to deny the judicial condemnation of the lost. But the words used imply no such thing. Prof. Swing assures us that he meant no such thing. Such a thought never occurred to my mind on hearing that very language used in the pulpit.

Specification nineteenth seems to me to rest wholly upon a misconstruction of Prof. Swing's language. Is not righteousness a gorgeous bloom from the soil of faith? Does not the prosecutor teach this in effect when he exalts the holy life of a very exemplary and zealous Christian friend after his decease? Is not a living faith the best subjective cause of a holy life? Can any other grace so save the soul, either objectively or subjectively? Would not faith be the law of salvation in the Mahommedan or Buddhist system "if," as Prof. Swing says, "there were enough truth—truth of morals and redemption—in those systems to save the soul?" And was not faith a saving grace before the New Testament was written? Must it not be a foremost exercise in any system of religion? Let us treat this case with reasonable fairness. Prof. Swing does not teach that salvation by faith is not peculiar to revealed religion, nor does he teach that salvation is a matter of degree. The passages quoted contain no such ideas.

Specification twentieth accuses Professor Swing of teaching that men are saved by works. But he abundantly teaches that salvation is by the cross and by faith as well as works; and therefore, he says that our religion is "many sided." He does not mean, evidently, that we are saved or justified by work in the same sense in which we are justified by faith. Why does not the prosecutor take James to task for asking, "Can faith save a man?" and for saying without explanation "Ye see how that a man is justified by works and not by faith only?" Why does he not arraign Jesus Christ for asserting that in the final judgment, the Son of Man will say to those on his right hand, "Come ye blessed:" "For I was an hungered, and ye gave me meat: I was thirsty and ye gave me drink," etc.? Does not that look like making a heap of good works the stairway to heaven? And yet our Lord said in the whole passage, not one word about faith and imputed righteousness as the instrument and ground of salvation. But Prof. Swing must be more cautious than his master was. As a general proposition, it is true that, "coming to the grave he can only look forward with joy who can sweetly look back." The penitent thief must have an immediate assurance from his Lord to take away all his misgivings. And yet salvation is in another sense by faith alone, where works have not had opportunity to appear as fruits and evidences. In the conclusion of Prof. Swing's Sermon on "Good Works" occurs the beautiful passage read here the other day: "When your best works fail and you feel their worthlessness, fly to Him whose cross stands between you and God's wrath. Believe in Christ, and find peace." This sermon and other sermons appealed to in the specifications are among Prof. Swing's endeavors to bring up what he regards as the neglected side of good works to its due prominence in our religion. And hence, he says: "There is nothing which society so much needs to-day as, not divine righteousness, but human righteousness." The divine righteousness is present, of course, where the human righteousness appears as a fruit of faith; and it is the outward view that Prof. Swing is discussing. Is all this contrary to the Confession of Faith? It is said I know, that Prof. Swing does not believe in justification at all in the sense of pardon through the Redeemer's sacrifice. What, then, does he mean when he says: "A legal salvation may be preliminary or a concomitant, but cannot in morals be the chief salvation?" and when he says again: "Pardon and atonement form parts of the great salvation?"

These words must be taken in their evangelical and ordinary sense, unless there is evidence to the contrary. And so I at once understood them when the sermon was preached in my hearing a few weeks ago. Then in the sermon on "Good Works," we read as follows: "That grand text (The just shall live by faith), which helped to revolu-

tionize the Christian world in the sixteenth century, having by its final word set us free from Romish error and despair, ought now by its initial word to set us free from public and private neglect of a virtuous character." But how did its final word, "faith" set men free in the sixteenth century? Why simply and only as the pivot of the doctrine of Justification by Faith. I say, then, that justification by faith is not denied, but distinctly recognized in these sermons of Prof. Swing, while the relation of faith and good works to salvation from the power of sin are more earnestly emphasized, because they were thought to have been too much neglected.

I pass over specification twenty-second, as it has not been insisted upon in this trial. Specifications twenty-third and twenty-fourth will be noticed together, as they both refer to the inspiration and infallibility of the Scriptures. Prof. Swing's view of the inspiration and infallibility of the Scriptures I understand to be as follows: He holds to the plenary inspiration of the Bible in the sense that he believes it all to be God's Word. But some portions of the Old Testament, for example, certain laws of Moses, and the imprecatory Psalms, he thinks were given by God for the regulation or use of the Hebrew people in a low stage of the world's advancement, and when the policy of God towards society within and without the church was essentially different from what it was after Christ came. Hence, in his opinion, many of the Mosaic statutes tolerated and regulated practices that were not morally right, and the imprecatory Psalms expressed sentiments that would be "bad" for us, though good enough for the Hebrews when they were given; and accordingly he speaks of such laws and Psalms as having been repealed by our Saviour.

Many of his reasonings on this subject never satisfied my mind. Particularly unsatisfactory is his explanation of the destruction of the Canaanites, which he regards as having been *permitted*, but not *sanctioned* by Jehovah. This seems to me a mistaken view; for, although the Hebrew language does admit of doubt in many cases where the imperative word is used, it seems to me plain from several passages that God did command the Israelites to destroy the Canaanites because the cup of their iniquity was full. But still it does not appear that Prof. Swing meant to deny that the inspiration of Moses was plenary on the subjects about which he professes to have divine direction. The question becomes one of interpretation and not one of inspiration; and we must remember that even Prof. J. D. Michaelis, in the endeavor to get over the acknowledged difficulty regarding the destructive wars of the Jews, adopted utterly untenable interpretations of Scripture, as was shown by the late Dr. Hengstenberg.

Some of Prof. Swing's remarks in regard to the 109th Psalm, seem to me open to exception. But it remains true that he holds that that psalm was given by God to the Hebrews for a temporary purpose, like the Mosaic law of divorce. And as to "eclecticism," he says he would erase nothing from the Old Testament except by the special authority of Jesus Christ. Thus, again, only a question of interpretation is raised, unless we criticise his principle in regard to the inspiration of men for the accomplishment of revengeful purposes; which raises a moral question of no small difficulty, while it leaves his doctrine of inspiration, in general, free from fundamental objection. As to Prof. Swing's view of the apocalypse, on which Prof. Patton lays so much stress, it does not involve the question of the inspiration or infallibility of scripture at all. It is purely a matter of interpretation. I heard substantially the same theory advanced by a prominent orthodox minister thirty-three years ago. Prof. Swing holds that John's imagination was elevated by the Holy Ghost in the vision of the Revelation, although no outline of future history was contemplated in those sublime scenes. As to his mode of interpreting the apocalypse, I differ from him for several reasons. But the Confession of Faith does not tell us how to interpret that very difficult book, upon which the ingenuity of the ablest commentators has been exercised to but little purpose for almost 1800 years. I will only add, in regard to the imprecatory psalms, that the beloved Albert Barnes, who lived and died in our church unquestioned as to that subject, took the ground, erroneously, I think, that the sentiments of those psalms were not inspired, but that the psalms themselves were a truthful record of David's vindictive feelings, to which God never gave His sanction. It is wonderful that no zealous champion of orthodoxy ever arraigned him for the heresy of his last commentary. Prof. Swing's view seems to me less objectionable than that of

Mr. Barnes, and not at all on the same plane with the views of Dr. McKaig.

The first specification, under Charge Second, failed for the lack of witnesses.

The second and third specifications under this head failed through the character of Mr. Shufeldt's testimony, and for the lack of more than one witness. Mr. Shufeldt could not certainly remember that Prof. Swing said to him that any one of the five points of Calvinism had been abandoned by him or his church. He could only recollect that one or two branches of a celebrated tree were said to have fallen off, one of which was infant damnation.

As no particular use was made of specification four under charge second, I will not take time to examine it.

I have thus noticed, of necessity, in a hurried and brief manner, all the alleged direct proofs that Prof. Swing does not sincerely believe and adopt the Confession of Faith as containing the system of doctrine taught in the Holy Scriptures. And if I am not greatly mistaken, not one of the specifications has been proved or made probable. Nay, it seems to me that most of them have been disproved.

It has been said that Prof. Swing does not profess to belong to the church historical, and that he only claims to hold the articles of the evangelical as contradistinguished to the Calvinistic faith. This, however, is a grave mistake. Like a great many of our ministers, he believes that our church ought not to exclude any truly evangelical and qualified man from its ministry, as it does not exclude any evangelical person from its communion. But personally he claims to hold the general creed, as rendered by the former New School theologians. Accordingly he avows his belief in Divine decrees. ["Truths for To-day," page 246.] He tells us in his "Declaration," what phases of supposed Calvinism they are which he rejects, viz: the doctrine of fatalism as implied in the perfect independence of God as to all human conduct, the ultra form of human inability, the overstatement of the ideas of salvation by faith, and the terrific doctrine of hell that has been often taught. But the members of this Presbytery all profess to repudiate these phases of doctrine as he explains them. How, then, does his rejection of them, as belonging to the church historical, prove that he does not as sincerely receive and adopt the system of doctrine taught in the Confession as any of us? Whatever he may mean by the church actual he does not regard it as more lax in faith than the Evangelical Alliance. And he claims to go beyond this in his own faith as far as New School Presbyterianism goes beyond it. That is all the broad-churchism which he has yet developed. As to the common evangelical doctrines, he has distinctly stated that he holds to the inspiration of the Holy Scriptures, the Trinity, the Divinity of Christ, the office of Christ as a mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and the wicked; and he tells us that his words are used in the evangelical sense—an expression which has been made definite by the creed of the Evangelical Alliance. There is no honest man who will use the term "evangelical" at this day, without explaining himself, in any other than its commonly accepted import. Dr. Ryder clearly understood Prof. Swing's avowal, without the least doubt as to his meaning, as appears from his sermon preached on Sabbath before last. The second charge against Prof. Swing is, then, disproved, unless it can be shown either that New School men at large have no right to a home in the Presbyterian Church, or that Professor Swing is a dishonest deceiver. It seems to me there can be no escape from this dilemma, for the prosecutor and his friends. But if it had been shown by the prosecutor that Prof. Swing's views logically lead to heresy, it would not follow that he is a heretic; for, as we have fully heard, the General Assembly of 1824, in the Craighead case, decided that no man can be justly pronounced heretical on the ground of inferences from his statements which he disavows, however logically those inferences may be drawn, or by the consequences that may be shown to flow from his teachings. He must distinctly teach the heresy alleged, otherwise it cannot be regarded as proved. But all the proofs of the prosecutor are made out by elaborate argument and inference, and not by direct evidence. It has been said, however, that Prof. Swing has not disavowed the inferences of the prosecutor as to inspiration, justification, and salvation by works. I answer that he has disavowed every one of these inferences, either in his declaration or

in his public statements. He has avowed himself a New School Presbyterian, and has asserted that he holds, in the evangelical sense, the inspiration of the scriptures, the trinity, the divinity of Christ, the office of Christ as mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and the wicked. Fortunately, the evangelical sense of these phrases is well understood, and not one of the prosecutor's inferences on these points is consistent with evangelical doctrine. Prof. Swing did not further deny the prosecutor's inferences because he deemed them altogether illogical and without support.

But how are we to acquit Prof. Swing of heresy, when he claims that he belongs to the church actual, and does not accept every article in the Confession, according to its obvious meaning? What standard of faith have we, if such a principle is to be affirmed?

This seems, at first thought, a formidable question. But it can be easily answered. Dr. Hodge and the prosecutor freely admit that it is not necessary to receive and adopt the Confession, *ipsissima verba*, in order to good Presbyterianism. It must be received only as containing the Scriptural system in its integrity. And the prosecutor concedes that Dr. Beman, and Dr. Spear, and Mr. Barnes, were thus all good Presbyterians. But they have all publicly denied the federal headship of Adam, and the doctrine of particular atonement, and inability, in what the prosecutor holds to be the sense of the Confession. Dr. Hodge, and the protestors in the Old School Assembly of 1868, labored hard to show that there were many men allowed in the New School Church, who did not accept the Confession in its integrity. And Dr. Hodge has shown abundantly, in former years, that the doctrines of Dr. Beman and Mr. Barnes on atonement and imputation, do not accord with the language of the Confession, and he has tried to show that their teachings subvert the whole Evangelical system. Dr. H. solemnly declared of Mr. Barnes' work on the Atonement, that it did "not contain truth enough to save the soul." And I have heard the prosecutor teach his classes that the doctrine of general atonement logically subverts the whole doctrine of expiation, by assuming a false theory in regard to the nature of the atonement. He, and all of his school, maintain that the doctrine of general atonement is contrary to the Confession. But still, he says that a man may be a good Presbyterian who holds to this and other doctrines which he believes to contradict the letter and spirit of the Confession on the subjects in question. But these doctrines, the prosecutor says, do not destroy or impair the integrity of the system taught in the Confession. But how do we know this? The letter of the Confession is not held to be the rule of judgment. The only answer is, that the church must judge, and has judged, how far a man may depart from the letter of the Confession and still sincerely adopt it as containing the Scriptural system. Where then are our standards? They are in the Bible and in the Confession of Faith, construed with more or less rigidness of application by the authorities of the church. It is thus at last acknowledged that the letter of the Confession is not our rule of faith, except so far so as the church judges its several clauses or articles to be essential to the integrity of the Scriptural system. But even the Old School Assembly affirmed that the Auburn declaration "contains all the essentials of the Calvinistic system"—a declaration that does not, by any means, come up to the entire letter of the Confession. If, then, Professor Swing has not been proved to hold any views inconsistent with that declaration —in other words, with the New School Theology—he is not to be condemned as heretical. And I hold that this has not been proved; and that his distinction between the church actual and the church historical, as to the letter of the Confession, is justified to that extent; which is all that the present purpose requires.

But if Prof. Swing does honestly receive and adopt the Confession of Faith as containing the system of doctrine taught in the holy scriptures, it will still be said that he has been unfaithful in the duties of his office. Let us attend very briefly to the alleged proofs of this charge, bearing in mind that such unfaithfulness must be shown as constitutes an ecclesiastical offense. And just here let me say that simple unfaithfulness in preaching or teaching has never before, so far as I know, been made the subject of a grave charge before any of our judicatories. Thousands of ministers have come short in the duties of their office, but I never before heard of one who was called before an ecclesiastical tribunal to answer for this offense.

Perhaps the reason is that there are not many Presbyteries whose members are as watchful of each other as are ours.

The first of the specifications under this charge that have not been noticed already, pertains to the use of equivocal language in regard to important doctrines. Here the first question is, How definite must a man's references to fundamental doctrines be, during any given period, to save him from the charge of ecclesiastical unfaithfulness? One man distinctly recognizes leading doctrines, but seldom defines them; another preaches many doctrinal sermons, but does not studiously fence against error, so that most or all of his language might be used by a Unitarian or a Universalist; and another still preaches sharp-pointed theology from Sabbath to Sabbath, controverting at every step the various forms of error in his way, and contradistinguishing truth from falsehood with discriminating severity. Now, which of these men preaches the most evangelically? Who is the most faithful? No Presbytery will agree in answering this question. It cannot be answered satisfactorily. We can only say that a man who should be guilty of intentionally using equivocal language for the purpose of concealing his real views would, of course, be unfaithful, and ought to be charged with deception and hypocrisy, and not with the indefinite offense of unfaithfulness. But has any such intentional deception been proved in the present case? This will hardly be alleged. It is said that the language of the sermons referred to in the specification may be understood in a Unitarian sense. But used by a Presbyterian minister, without any Unitarian antecedents or explanations, they ought, in all candor, to be interpreted as carrying the best sense they will admit of; and his own regular hearers did not misunderstand them. The use of indefinite language is not among the recognized Ecclesiastical offenses. But specification second alleges that Prof. Swing has been claimed by Unitarians, and that knowing this, he did not come out and disavow in explicit terms all sympathy with the doctrines of Unitarianism. But every man must be his own judge as to how and when he will reply to such allegations, especially when he is arraigned at the bar of a particular co-presbyter, who has never in his life gone to him to confer on the subject.

But specification third alleges that Prof. Swing has given the weight of his influence to Unitarianism by lecturing in aid of a Unitarian chapel, and in other ways, and that he has extravagantly lauded an atheist. Now, I would not lecture in aid of a Unitarian chapel, neither would I invite Dr. Peabody to lecture on the evidences of Christianity before the classes of a theological seminary, as the authorities of Union Theological Seminary did. But the question as to our general treatment of Unitarians, whose distinctive views we are known to disapprove, is one upon which our church has pronounced no judgment. It is a difficult question about which good men will differ. I cannot determine for my brother what he shall do by way of showing humane sympathies with errorists, in the hope of winning them to the truth; nor can I say just what views he shall hold in regard to the possibility of salvation to those who in words discard the deity of Christ. We have, I suppose, a right to control the pulpits of our church in regard to the admission into them of errorists. But beyond this we cannot safely go. As to the article in the *Lakeside Monthly*, it does disparage the mere preaching of doctrines in dogmatical forms, as is sometimes done; but Prof. Swing did not intend to decry all doctrinal preaching; for he declares in one of his sermons that there can be no religion without doctrine. No one of us favors "a mere jumble of doctrines," such as we sometimes hear. The remainder of the paragraph has been explained by the counsel for the accused. It was the purpose of Prof. Swing to recognize the practical and charitable side of the preaching in Chicago, as a characteristic feature, and not to confound the theology of Dr. Robert Patterson (not R. W.) with that of Robert Collyer. He had evidently no thought of saying that the Gospel, in the stricter sense, is one thing in Chicago and another thing in Pittsburgh and St. Louis. His meaning must be derived from the connection in which the language is used. Some of us would not have written in such terms: nor would we or could we imitate the peculiar style of Prof. Swing, in anything. In regard to the alleged laudation of John Stuart Mill, I have carefully read the sermon referred to, and it does not strike me as showing indifference to the errors of Mr. Mill. I do not admire the type of philanthropy for which Mr. Mill was distinguished. But many good and wise men think he

did a great work for humanity and liberty in England, notwithstanding his false philosophy. It was this work alone that Prof. Swing commended, and he distinctly attributed Mr. Mill's humane views and spirit to the Christian influences of which he could not divest his mind: while in the close of his discourse he referred in terms of sorrow, though not of denunciation, to the great religious defect of Mr. Mill. Prof. Swing may have erred in his selection of such a theme, but I submit that he was not guilty of an ecclesiastical offense in his treatment of it, even if he did make a mistake in his incidental reference to Victor Cousin. And here let me say that Sir William Hamilton's philosophy, called by the prosecutor the great bulwark against atheistic philosophy, which was controverted by Mr. Mill, is also controverted as to important points by Dr. McCosh, of Princeton, while deductions from it were made use of by Herbert Spencer to sustain his atheistic system. Logical conclusions are thus seen to be a sword with two edges.

The fourth specification is based upon misinterpretations. Prof. Swing, in the passages referred to, is not ridiculing the doctrines in question, but the attempts to sustain them, not by reason, but by force. He believes and teaches every one of them, as we have seen, or shall see, but he believes also in a respectful treatment of those who seem to be honest in discarding them. I would not adopt his language, but I protest against the inference from it that he either denies or contemns important doctrines.

The fifth specification is the chief one in this case. It accuses Prof. Swing of not preaching or teaching several Scriptural doctrines within a given period. But how often must a man preach or teach a doctrine within a given period of time, no matter what may be the circumstances of his preaching? Duty on this subject is greatly modified by the conditions of each preacher, and the character of his hearers. Prof. Swing, after the fire, preached once every Sabbath, not mainly to his former congregation, but to a large class of doubters, who would not have listened to elaborate doctrinal statements braced up only by Scriptural proofs. They were aware of the doctrines, but were not convinced of the divine authority of the Scriptures from which they were drawn. Now, it might have been expected that in these altogether peculiar circumstances the preacher would go to a large extent outside of Scriptural argument and teaching, and reserve his more strictly doctrinal instructions chiefly for his Wednesday evening lectures to his own people; and this is just what he did, according to the testimony of his own intelligent elders. They tell us that he distinctly recognized the evangelical doctrines in his sermons, but that he expounded them more in detail in his Wednesday evening lectures, which were unwritten. We are able to verify only the first part of this testimony, by appealing to the published sermons. And what should we expect to find in these sermons? Not nicely-drawn theological distinctions, such as are seldom made by our ministers; not quotations from the catechism; which are not as fashionable now as in former times. But expressions of evangelical truth in substantially the common language of the evangelical churches, without any elaborate efforts to exclude the possibility of misinterpretation by studiously fencing against error. I say *we* should expect this,—I mean by "we," charitable hearers. Now, what do we find? Just what might have been expected—earnest discussion designed to show the reasonableness of Christianity and some of its leading ideas, to the outside world, and frequent recognitions of scriptural doctrines. These recognitions of doctrines are made, not in theological phrase, but in terms closely akin to scriptural language. Let us notice the points in the specification in this connection: First, "That Christ is a propitiation for our sins," and "that we have redemption through His blood." Prof. Swing frequently uses such language as this: ("Truths for To-day," page 111), "As man by his sin lost the image of God, so by faith, that is, by devotion to Christ, by cross, and by forgiveness, and by conversion, rewards of his love, he is carried back to the lost holiness." Paul often speaks of the cross in the same manner, by way of recognizing the expiatory sacrifice. Thus: "God forbid that I should glory save in the cross of our Lord Jesus Christ." We cannot help it if Unitarians do use similar language, in a different sense, which they never do without some explanatory expression or circumstance. Again, Prof. Swing says: ("Truths for To-day," page 239) "Pardon and atonement form parts of the great salvation, but the vast idea is only fully met and

satisfied by the word righteousness." That is, personal holiness, or the at-one-ment, as the Unitarians phrase it, must be added to the legal "pardon and atonement." The meaning is perfectly plain. Again: ("Truths for To-day," page 121) "When your best works fail, and you feel their worthlessness, fly to Him whose cross stands between you and God's wrath. Believe in Christ and find peace." Now I say not only that this is evangelical language, but that no Unitarian, who discards the doctrine of redemption by vicarious atonement, would use it without qualification or explanation. The prosecutor has produced no such example. The language used is more conclusive than would have been the use of the scriptural phrases "propitiation for our sins," and "redemption through His blood," which the prosecutor would easily have found in Unitarian writings.

Secondly, "That we are justified by faith." This doctrine is recognized by Prof. Swing in many passages. For instance, in the last passage quoted under the former point: "Fly to Him whose cross stands between you and God's wrath. Believe in Him and find peace." Is not that justification by faith in the atoning Saviour? If it is not, I do not understand the meaning of language. The theological phrase is not there, but the idea is there, unless we again accuse the speaker of artful deception. And while this point is before us, let us ask how often the doctrine of justification by faith alone is presented in direct phrase in the entire scriptures. Not more than two or three times, as far as I can remember. The Saviour does not directly affirm it, and James seems to deny it. And yet we believe that both James and the Master held it in its proper relation, and that they were both evangelical preachers.

Thirdly, "That there is no other name under heaven given among men whereby we must be saved." I have not found these very words in Prof. Swing's sermons, and if they were there it would be said that a Unitarian could use the same language. But the equivalent of these words may be often found in Prof. Swing's sermons. Thus, in the sermon "Salvation and Morality" (page 104): "If Christ by his death wrought out a salvation for man, man's heart must be the prize bought with the sacred life and death." The death of Christ was, then, a salvation for man, for the world, and by that is our redemption. Again (p. 105), "Paul unfolds salvation from without. He tells what is necessary outside of man. Hence Calvary, and law, and imputation, and satisfaction came upon his horizon at all hours." "Paul is busy with the paths to a destiny; Christ with the beautiful destiny itself." (Page 106.) "This is not a salvation without Christ. The difficulty will be found to be that it has too much of Christ in it." (Page 107.) "There is a Christianity that will save the world. It has not only a faith, but it has a morality as essential as its faith. It not only says, 'Believe and be saved,' but it assigns damnation to him who leads a wicked life." This from a Presbyterian mouth is evangelical preaching.

Fourthly, "That Jesus is equal with God," and is "God manifest in the flesh." This language, too, is used by Unitarians, although the genuineness of the last words, as Scriptures, is disputed. But let us see what Prof. Swing says: ("Truths for To-day," page 79.) "Hence Christianity bears readily the idea of three offices, and permits the one God to appear *in* Father, or *in* Son, or *in* Spirit." As much the one God in Son and Spirit, as in Father. Then the Son is God as much as the Father. But now Prof. Swing has abandoned the Unitarians and gone over to the Sabellians; and if he does call Christ God it is not in the orthodox sense. For he does not use the term *person* in relation to Christ as God, and he speaks of three offices. Then let us turn to page 81, (same book and sermon): "If the three offices of God as Father, and Redeemer, and Spirit, are made more prominent than the idea *that these three persons are one God*, then what mankind will need most, and use most, will be the three influences, God as Father, God as Saviour, God as Holy Spirit; and what he may make secondary is the enigma of the three in one, for why make prominent things which are not conspicuous in the inspired guide?" It will be remembered, let me here remark, that the doctrine of three persons in one God is nowhere in Scripture distinctly stated in terms, although we believe it to be necessarily involved in many Scriptural teachings; and that this doctrine was not definitely formulated in the Christian Church for more than 250 years after the death of Christ. It was recognized in a practical but not in a speculative form, from the beginning. But the present point is, that Prof. Swing distinctly

recognizes a Trinity of *three persons* in one God. He is, therefore, neither a Unitarian nor a Sabellian, and he has taught in his sermons that Christ is God.

Fifthly, "That all Scripture is given by inspiration of God." Prof. Swing does teach this doctrine. This is now admitted. He asserted it in his letter to the *Presbyterian*, and in his declaration before this body, as clearly as it is affirmed in our Confession. But immediately we are met by the question: What does he mean by inspiration? Then if he had reaffirmed in his sermons ever so often the words of Scripture used in the specification, the prosecutor would not have been any better satisfied than he is. It should be borne in mind here that the plenary inspiration of the Scriptures is a topic very seldom discussed in any of our pulpits. Why then accuse Prof. Swing for not discussing it?

Sixthly, "That the wicked shall go away into everlasting punishment." If Prof. Swing had used these words, the prosecutor would appeal to James Freeman Clarke, to show that Unitarians and Universalists use the same language in an unevangelical sense. It is a remarkable fact that you can print on half of an octavo page all the clear declarations in Scripture of the eternal punishment of the wicked. Now, Prof. Swing, as a Presbyterian minister, and according to his recent declarations, believes in the final separation of the righteous and the wicked, in the evangelical sense. When, therefore, he speaks in his sermons of death, penalty and hell, he must be understood to use this language as an evangelical minister, in the absense of any evidence or intimation to the contrary. It is not so very strange, therefore, that one of the elders of the Fourth Church should have selected the same passage to prove Prof. Swing evangelical on this subject, which the prosecutor had marked to prove the contrary. For the one interpreted this language in the light of his conviction that Prof. Swing was honest in his evangelical profession, and the other, in the light of his suspicion that the preacher had been deceiving the people, and playing the role of an adroit hypocrite, whom only a few men were capable of detecting and exposing. The passage is as follows, and will bear repetition: "Wherever there are hearts that can see no good uses in holiness, none in honesty, and in charity, none in Jesus Christ, none in the worship of God; wherever there are minds incapable of being led by the intrinsic good of religion, there this dark cloud of wrath is ready to descend and to envelope with its thunders the soul that cannot and will not be enveloped by love. The result of sin, expressed in all religions by the word 'hell,' is a perpetual influence; liable to go and come as humanity advances or retreats in the path of intelligence and morals,—but it must be a perpetual fact in a world of beings capable of being immoral; a world of sin must be a world of penalty." Now, this *might* be said by a Universalist. But *would* he say it without any intimation that there was hope for the final salvation of all? Prof. Swing speaks as follows, in his sermon on "The World's Great Need:" "From Dr. Ryder's letters, you will perceive that his philosophy believes in a new heart, but in receiving this new heart, instead of increasing the labor and whole pressure in *this* life, he prolongs the time. He diminishes the power and doubles the time. He allows us future centuries upon the other shore in which to come to a harmony with God. But the orthodox limit us to a few years here, and hence pursue with more enthusiasm the work of reforming their fellow men. They shorten the time and double the impulse," etc. Who can read this passage without suspicion, and not feel that Prof. Swing regards the work of saving men and the procuring of a new heart, as confined to this world, leaving no hope of another probation in the future life? Perhaps my mind has been biased by frequently hearing Prof. Swing say in private that he believed the orthodox doctrine on this subject; but I think I should easily have understood his frequent references to the penalty of sin or damnation, in his sermons, if I had never heard him say a word on the subject anywhere else. It is true he does not deem it wise to dwell much in the pulpit on the dark side of human destiny. But his faith is well ascertained, and his expressions of it are frequent enough to save him from any just charge as to the evangelical character of his preaching.

The sixth specification under charge first, is based on a misconstruction of Professor Swing's meaning. He does not intend to say that there is no value in formulated theology, and that the scientific doctrine of the Trinity is worthless; for he elsewhere speaks

approvingly of theology as a science. But he does mean to say, that the doctrines of Christianity, as put forward in Scripture, are those which can be tried by the human heart, and, therefore, he says: "The doctrine of the Trinity, *as formally stated*, cannot be experienced." He believes this doctrine, as we have seen; but he insists upon putting it forward in its practical relations, and not in formal statements. Is this an ecclesiastical offense? I pass over specifications seventh, eighth and ninth, as having been sufficiently considered under the second charge.

Specification tenth has been sufficiently refuted. It was shown by the defense that Professor Swing spoke in the sermons referred to, of knowledge from demonstration, and intended to say, that conceding, for the sake of argument, that the logical proofs are equally balanced for and against the existence of God, there is still another view to be taken; and further, that no one, by searching, can find out God's nature and the infinity of His attributes. There is no heresy and no dangerous teaching in this.

The only remaining specification is the sixteenth which charges Professor Swing with mysticism. But it has been shown that he insists on the importance of doctrinal teaching as the most practical kind of Christianity. The allegation was not pressed by the prosecutor, and, therefore, I dismiss it without further remark.

The other specifications which were noticed under the second charge, lose their force under the first head, if the heresy of Professor Swing has not been made out; and it does seem to me that neither the second nor the first charge has been sustained by any sufficient proofs. I grant that Professor Swing is sometimes, often, obscure. But familiarity with his sermons has cleared away much of the obscurity which formerly seemed to me to hang over them. I do not agree with some of Professor Swing's ideas in regard to formulated theology. But his views do not seem to me at all heretical. The defects of his preaching seem to me to be mainly negative, and to result from the peculiarities of his mind. I think I know that he holds all the doctrines of the evangelical system, and all the essentials of the Calvinistic system, substantially as they were held by Albert Barnes. But he puts forward certain aspects of divine truth, particularly the place of faith as a sanctifying power, and the value of good works, with a new earnestness. He has seen exaggerations on the side of divine sovereignty and the work of God in human salvation. His danger now is, that he will too much exalt human agency, and partially lose his hold on the divine energy as the grand impulse of all true obedience and work in man. His preaching seems to me too exclusively human, just as the preaching of some other men seems to me a dangerous exaggeration on the divine side. But we shall never see the relations of divine truth exactly alike, and it becomes us in this respect to bear one another's burdens, and fulfill the law of Christ.

The interests of the Presbyterian church are widely involved in the results of this trial. Young men for war; but let them consider whereunto these things will grow, before they carry the conflict further. Our beloved church may easily be riven again, and the next time it will be divided for all the future, or at least until a broader creed is formed in explicit terms as a basis for reunion. I do not believe that our Confession is incapable of improvement as a bond of union. This conviction is gaining ground far and wide. God speed the day when the Confession shall be carefully revised and be made a more adequate expression of the grounds on which we can all meet around the same cross and mercy seat.

The Presbytery then adjourned with prayer until 9:30 A. M., May 19, 1874.

TUESDAY, May 19th, 1874, 9:30 A. M.

The Presbytery was opened with prayer by the Moderator.

Inter alia:

Elder Leonard gave reasons for his absence, which were sustained.

The following resolution was adopted:

Resolved, That in case the Presbytery does not complete its business when the hour of adjournment arrives this afternoon, an extra session be held from 7½ o'clock to 9 o'clock P. M.

The calling of the Roll for the expression of opinions was continued as follows:

OPINION OF REV. DR. L. J. HALSEY.

MR. MODERATOR: I can frankly say that I had not expected or desired to speak on the present occasion—that is in the making up of our judgment in this case—and until

yesterday, I had no purpose to do so. Accordingly I have made no special preparation, but must trust simply to those points that have suggested themselves to my own mind in the course of the argument and the testimony, and also in the course of the discussion, which we listened to yesterday afternoon.

Certainly there can be no duty more serious and solemn than that of sitting in judgment on a brother minister. It is a responsibility from which we all might well desire to shrink if we could; but it is one which we cannot shrink from. The ordination vows of God are upon us, as well as upon our brother. And as Presbyters we must now meet it. We must take the responsibility which by our system is laid upon us of giving our verdict; and whatever our judgment may be in this case, it is well that we should be true to our own convictions in giving our reasons for that decision.

Let me say a word, first, as to that constitutional question which has been presented to us, and which meets us in the very foreground. Have we any rule to go by, have we any standard by which to make up this judgment? Certainly we are not left to the Scriptures alone. As a Church, we have an authority; we have a standard, we have a rule by which we must all be governed in this case. In our Form of Government you know what the constitutional questions are that are put to every candidate, for ordination or licensure, which we have all responded to, and which, by the very fact that we continue ministers, we are regarded as continually responding to: "Do you sincerely receive and adopt the Confession of Faith of this Church as containing the system of doctrine taught in the holy scriptures? Do you approve of the government and discipline of the Presbyterian Church of these United States? Do you promise subjection to your brethren in the Lord?" And in the case of the candidate for licensure—which we have all answered: "Do you promise to study the peace, the unity, and the purity of the church?" Now, it is in view of these questions—these solemn constitutional vows—that we must make up our judgment; and we should not forget them.

But the question arises, In what sense do we receive and adopt the Confession of Faith of the Presbyterian Church? On one side it is claimed that there is a wide latitude of interpretation and of construction. Now, it seems to me that this whole question has been very clearly settled in the past history of the church, and very clearly decided by all the acts of our recent great Reunion. I cannot agree, however, with the positions—at least some of the positions—which were taken by Dr. Patterson in the statements you listened to on yesterday afternoon. It seems to me that the very sense in which we are to receive these standards, and in which we must continue to hold them, is a sense which has been settled through the whole past history of the church, both Old School and New School—during the period of separation and before the separation, and now also since the separation, by the whole reunited Church. For you will observe that in all the separations, both sides have held to these standards. Both sides held these standards, and held them intact during the first separation of seventeen or eighteen years before 1758; and when they came together, as has been well said, they came together on these same standards. Then, after the separation in 1837, both parties continued to hold these standards intact, and unaltered, plain and simple; and they came together again recently, on the adoption of the ecclesiastical and doctrinal basis of our common standards. And in what sense? In the sense of *their entire integrity*; in the sense that they contained the system of doctrine contained in the Scriptures, and in no other sense. Now, in any sense that would impugn those doctrines or impugn that basis, clearly the Assembly would not recognize the standards as being sincerely adopted—that is, adopted in the sense of containing the system of doctrine taught in the Scriptures. Suppose it should be found that a minister had denied one of the essential doctrines of the faith—of this Confession of Faith. It could in no sense be said that he embraced the entire system of doctrine contained in these common standards, if one of the very doctrines denied and impugned was an *essential* doctrine—so essential that to reject it or to deny it, would invalidate the system—so essential that to reject it would invalidate his claim to be recognized as standing in full accordance with the standards.

Now, let me refer to some of the deliverances which were made at this point at the time of the Reunion. It has been said that

the adoption of these standards admits of a very wide range of interpretation, and allows a very wide latitude. Individual liberty is not to be destroyed. Well, it is true that the Presbyterian Church has already recognized individual liberty as one of her birthrights, and has always contended for the right of private judgment. But then, at the same time, it is equally true that that individual liberty, and that right of private judgment, have been held to be a liberty and a right exercised *within the doctrines of the standards, and not without those doctrines.* It is not a right to reject the doctrines after one has subscribed to them, but it is a right —it is a liberty—which must be held as at the same time holding to the standards, and not rejecting them. That this is the case let me refer to some passages which were read by Mr. Noyes at the close of his argument, as giving us the sentiments of Dr. Musgrave and other representative men at the time of the great Reunion. Dr. Musgrave was one of the representative men on that occasion, and we are very willing to abide by his language as uttered on the occasion, if you will take the whole of the language. You will find it given on page 542, of the Reunion Volume. I had the book in my hand and followed Mr. Noyes as he read from it the declaration made by Dr. Musgrave when he said we were not to be tied down to the *ipssisima verba* of the standards, that there was a liberty which was to be allowed; and that a man was not to be held as an offender for a word. I will not repeat that reading, but I observed that Mr. Noyes, in reading a passage on the 279th page, from the report of Dr. Adams and Dr. Beatty, chairmen of the committees of the Old and New Schools, in the Assemblies of 1868, also representative men, did not complete the sentence; he stopped at the semicolon. Let me read the whole closing passage:

"They have asserted as being essential to all true unity, the necessity of adopting the same Confession and the same system, with the recognition of liberty on either hand for such differences as do not *impair the integrity* of the system itself." That far Mr. Noyes read. Then follows: "*Which is all the liberty that any branch of the great Calvinistic family of churches has ever claimed or desired.*"

Just that much liberty, and no more liberty has been claimed and desired. And what is that liberty? It is liberty of differences, but differences as interpreted in the preceding clause, which *do not impair the integrity of the system itself.* If the differences impair the integrity of the system itself; if the latitude is such that it comes in contact with the substance of the system itself, then that is a liberty which is not allowed; that is a liberty which was never claimed by either branch of the church; for that is a liberty which would be fatal to the system; that is a liberty which would at once establish the broad church,—establish it, if you please, on the basis of evangelical views; but it would be no longer distinctly a Presbyterian Church; and that is not a liberty which has ever been allowed, as I understand it, either in the Old School or the New School during the separation, or can be allowed now. Certainly if it was not allowed during the separation, it cannot be allowed now, seeing we have come together with this full understanding that the only liberty we claim under the Reunion is a liberty that shall not impair the integrity of the standards. We allow men to differ; we allow them to differ on certain points—minor points it may be, or points comparatively unimportant—but not on those essential points that would strike at the very vitals of the system. No such liberty as that is allowed.

Then turn to another passage from Dr. Musgrave's speech of 1869. His whole address is given, page 541 of this Memorial volume. Mr. Noyes read the part of it where he speaks of the *ipsissima verba*, and of not being made "offenders for a word." On page 542 let me read you what Dr. Musgrave said: "We have said that we mean to maintain the system of doctrines taught in those standards, because we believe them to be according to God's word, with constancy and fidelity. In other words we meant and wanted it to be understood that we never intended to allow brethren to impair the integrity of that system. If any such errors are propagated, those who are engaged in it must expect to be disciplined. We will maintain, God helping us, the purity of doctrines taught in our blessed Confession. That is distinctly understood, and I rejoice that in the preamble to one of the papers, we distinctly announced that we recognized each other as sound and orthodox bodies, thus advertising to all the world that the reason why these two great branches of the Church are to be united is

because we believe each other to be orthodox and sound in the faith. So that it must be plain enough that a united Church founded upon our Confession, each branch recognizing the other as sound and orthodox, will *never tolerate heresy*. Why sir, I have not changed my theological views and my conscientious convictions of duty in the least degree in regard to that, and though I may not live long, I will endeavor as in the past, by God's grace, to defend and maintain the purity of our doctrines. That is understood—that we receive the Confession sincerely, and that we mean to maintain and defend it."

Then one more sentence on the following page. In telling of the interview which, as one of the committee, he had with the New School brethren, he said:

"Now, sir, we have said to them that we understand that there is to be allowed in this united Church a reasonable degree of liberty; that men are not to be made offenders for a word; that we will not encourage persecution, or needless prosecution, if you prefer it; but will allow just such liberty in the united Church as has been freely allowed in the Old School branch of the Church. Will that satisfy them? Now, sir, we understand each other. We are both sound orthodox bodies, pledged to that old Confession, understanding each other that we *mean to maintain it in its integrity;* and on the other hand, that we will allow all reasonable differences of opinion; that is to say, *such differences as are consistent with maintaining the integrity of the system.* No opinion is to be tolerated that would be subversive of our system of doctrine. Thus we arrived at a harmonious conclusion, and, so far as I could judge, every man in that Joint Committee agreed that this was fair and just, and I think it is. What more can we ask than that this basis should be our common standards, with this understanding between the parties, that it is not to be received *insincerely, with reserve;* that there is to be no *toleration of material doctrinal differences*, while a *reasonable liberty* will be allowed."

Well, if we are to be governed in any way by Dr. Musgrave's judgment, we see plainly what his judgment is, and it is in justice to him that I should read these passages, seeing that the matter has been presented here in such a way that it only gives a part of his view. He does allow liberty of interpretation. He will not hold a man an offender for a word. We are not sticklers for the *ipsissima verba* of the Confession; but then we must do nothing that will impair its integrity. We *must hold the system*, and our brethren of the New School as well as of the Old School *agree* as holding the system; for the declaration, when we came together in 1869, made by both bodies, was in the very same words: "that this union shall be effected on the ecclesiastical and doctrinal basis of our common standards; that the Confession of Faith shall continue to be sincerely received and adopted, as containing the system of doctrine taught in the Holy Scriptures, and *this basis of reunion is hereby declared to be of binding force.*" Well, that is the law under which we stand, and that is the rule by which we are to be governed. Now, in order to confirm this view, let me notice one or two other opinions which have not thus far been presented. One is that of Dr. Stearns, who was also a representative man, Moderator of the New School Assembly of 1868. I will read from page 336 of this Reunion volume. Let us see if he does not agree precisely, in the matter now before you, with Dr. Musgrave, so that we shall find representative men, on both sides, agreeing as to this point.

"But it is said we are very jealous about the doctrines. Well, are we not all jealous about them? If not, why have we kept the old Confession of Faith? Does not that state them distinctly? Is there a man among us who would exchange it for another system, or allow its proper integrity as a system of doctrine to be impaired? But it is said on the other hand we want liberty both of thought and expression. What liberty? Liberty to subscribe one thing and believe another? Liberty to think and speak contrary to the Holy Scriptures? None of us would say that Presbyterianism has made no provision for an ever fresh resort to that fountain of truth. It does not require us to receive the Confession of Faith as infallible. It does not tie us up to those precise words and forms of expression. It does not require us to subscribe to every proposition contained in it, but only to receive it as containing the system of doctrines taught in the Scriptures."

We agree fully with that deliverance, that we are not to be tied up to the *ipsissima verba*, but we are to *hold the doctrines*, and we cannot deny *any doctrine* that shall *impair the integrity* of the system—that shall in any way invalidate or destroy the system.

Then take another passage from Dr. Wm. Adams, page 304 of this volume—another representative man. Bear in mind the precise point I am making, that this liberty which is claimed is not a liberty to *infringe* or *impair the Standards;* that is the point, and the precise point.

"As we have been taught by our common system of theology, that God foreordains whatsoever comes to pass, making even the wrath of man to praise Him, we may suppose that each of these distinct bodies may have had its mission, and so is now prepared to benefit the other in new combination; as streams impregnated with the qualities of the different soils through which they run, flow together and purify each other by the gentle effervescence of contrary qualities. I suppose you will consider it no affront if you are regarded as the special conservators of *orthodoxy.* Adopting the same Confession of Faith with yourselves, in all honesty, we will not shrink from being considered as the special advocates and representatives of *liberty.* Circumstances have created these distinctions. You will not think it strange, while you hold fast to your orthodoxy, that we should magnify and assert our liberty. We have found it necessary to emphasize the fact, that *within the bounds of our common system of doctrine* there is room for liberty. As there always has been, so there always will be, difference of opinion in unessential particulars, among those who are agreed heartily in the *great essentials of the same historic system.*"

Now, sir, let me advert for a moment to a point which was also presented by Dr. Patterson in arguing this constitutional question on yesterday afternoon, when he referred to the answer to the protest made in the Old School General Assembly of 1868, which answer was written by Dr. Shedd. Dr. Shedd was a prominent man in that Assembly, and he had the advantage of being regarded by both those who were in favor of Reunion and those who were against it, as being a representative man, because while he held connection with the Old School Church, he was also a leading Professor in the Union Theological Seminary, the leading seminary of the New School, and he had much to do in shaping the final action of that body; and so when it came to the protest, he was appointed to answer it. The protest was presented against the Reunion on the part of those who had opposed it, in the fear that the New School was not ready for the Reunion—that is, was not fully sound on the standards, and so at the last they put in their declaration to that effect in the form of a protest. Dr. Shedd was on the committee to answer the protest. On page 285 of this Reunion Volume you have that document. I would also remark that the document is published in the New Digest; I do not recollect the page; it is one of the most important papers during the Reunion movement. This paper was approved and adopted by the Assembly as indorsing the orthodoxy of the New School branch, and satisfied some of the protestors that it was safe now to reunite. Up to that time I had myself opposed the Reunion, and on the ground just stated. Up to that hour I had had my doubts, but when that protest was made, and Dr. Shedd brought in his answer, and that answer was adopted by the Old School Assembly and placed on record, I for one felt that we were safely and satisfactorily answered, and from that day forward I never uttered a word in opposition to the Reunion movement. I thought then that it was right and safe to go forward. It so happened that I was in daily association with Dr. Shedd—staying at the same house during all the time, hearing all his speeches; and I felt that it was safe to reunite, when our Assembly, under the guidance of one so competent to understand both sides, had placed on record the grounds on which the New School body was recognized as a sound orthodox Church. I will not stop to read this paper—it would be too long—but I will simply indicate some of the heads.

The first point is this:

"Such a position"—that is to say, the position taken by the protestors—"if taken by the New School Church, or by any church whatsoever, would simply be self-stultifying and absurd. That a great religious denomination, which, from the beginning of its organization in 1837, down to the present time, has held up the Westminster Confession as its symbol, and compelled every one of its ministers and elders to subscribe to that symbol, and has received its membership into church communion upon professing faith in the doctrines of that symbol; that an ecclesiastical body which has thus stood before the other churches of this and other lands as a Calvinistic body, and has been reckoned and recognized as such, should at the same time be

jealous in behalf of the distinguishing doctrines of Pelagianism and Arminianism, and insist that these latter are *consistent* with the former, and are to be tolerated in a Calvinistic body, is too much for human belief. The Assembly is fully satisfied that any instances of laxity of doctrine among the New School which have been exhibited are exceptional cases, and that the great body of the other Church sincerely and firmly stand upon the basis of our common standards. That the allegation of this protest is unfounded, is proven by the fact that the New School Church have adopted, by a unanimous vote, the Basis of Doctrine presented by the Joint Committee. Whatever may be the preferences and opinions of individuals respecting particular clauses in the first article in this basis, this General Assembly holds and affirms that it not only commits but *binds* any ecclesiastical body that should receive it to pure and genuine Calvinism. And it must be distinctly observed that if any doctrines had been hitherto allowed by the New School body which *impair the integrity of the Calvinistic system*, they are not to be allowed in the united Church under the terms of union. Such doctrines are condemned, and any one who may teach them *will be subject to discipline*."

Well, I need not read the whole. One other point may be here noticed:

"These very errors, charged by the signers of the protest as allowed by the New School Presbyterians, have already been distinctly repudiated by them;" and then Dr. Shedd goes on to remark that the famous Auburn Convention, of which you heard yesterday, had distinctly rejected the latitudinarian and heretical tenets mentioned in this protest, and adopted the contrary true doctrines, embracing all the fundamentals of the Calvinistic creed, and that by this declaration the New School body had placed itself fully on the standards, and that its orthodoxy was as unimpeded as the orthodoxy of the Old School.

Now the errors specified and abjured in that famous declaration are not points which are involved in the controversy here. Let me call your attention to the points which are involved, for they are on record here in Dr. Shedd's answer to the protest—at least enough of them to indicate their character:

"1. There is no moral character in man prior to moral action, and therefore man was not created holy.

2. There was no covenant made with Adam; his posterity did not fall with him, and every man stands or falls for himself.

3. Original sin is not truly and properly sin, bringing condemnation, but only an innocent tendency leading to actual transgression.

4. Inability of any and every kind is inconsistent with moral obligation.

5. Regeneration is the sinner's own act, and consists in the change of his governing purpose.

6. God cannot control the acts of free agents, and therefore cannot prevent sin in a moral system.

7. Election is founded upon God's foreknowledge that the sinner will repent and believe.

8. The sufferings of Christ are not penal, and do not satisfy retributive justice.

9. Justification is pardon merely, and does not include the restoration to favor and acceptance as righteous."

Well, you see at once that these are not the points involved in the present controversy. They involve intricate and difficult questions about ability and inability, the extent of Divine agency, the nature of regeneration, the decree of election, as to whether it was outside of man's character and obedience, the theory of the atonement, as to whether it was limited or unlimited, the influence of Adam's fall upon his posterity and kindred points. But now the question goes deeper; it is whether we have any original sin, it is whether we have any atonement, it is whether we have any election. It is not some difference of opinion about the explanation of the atonement, or the explanation of election, or the explanation of the decrees, but the errors charged in this indictment go to the whole length of leaving us uncertain whether the doctrines of grace are held in any sense compatible with the creed held by Calvinistic Presbyterians.

I have endeavored, Mr. Moderator, and brethren, to read these sermons with an unbiased judgment, and I think I have read those that have come within my reach during the days and weeks of this trial, with as much careful deliberation and candor as I ever read anything; and I am compelled to say that I have read them with an increasing conviction that they are not in accordance with the system of doctrine contained

in the Confession of Faith—on at least three of the very points which I hold to be essential to that system. One is the supreme divinity of the Lord Jesus Christ. Another is the decrees of God, his electing or predestinating decree, involving the whole doctrine of the Divine Sovereignty and the Divine agency. And the third, is the doctrine of justification by Faith alone; that is to say, Justification on the ground of Christ's imputed righteousness, as distinguished from Justification by works. You see that the doctrines thus involved are not the doctrines that were discussed between the Old and the New School in 1837 and 1838; and those doctrines are scarcely touched by any of the sixteen points contained in the Auburn Declaration, or any of the nine points against which this protest in 1868 was made, and answered by the Assembly. These errors alleged against Prof. Swing go deeper. Many of his teachings not only impair the doctrinal system of our standards, but in my judgment they are in direct conflict with it. I am compelled to feel that they are not only seriously defective but that they are dangerously wrong; that they are not the system, and they cannot, by any fair interpretation, be reconciled with the Calvinistic system. Now, it is one thing to reconcile them with the views of the Evangelical Alliance—it is one thing to reconcile them with what we may call Evangelical Christendom—and another thing to reconcile them with the standards of the Presbyterian Church. We are to be governed by our own system. We must be true to our own system, because we hold that system as the system of doctrines contained in the Scriptures; and because they *are* the doctrines contained in the Scriptures, we hold them, and must hold them until we alter them or repudiate them. And this leads me to remark upon certain positions that were stated yesterday in reference to this change of the system. Our system provides for its own amendment—provides for its being changed. Whenever the Church shall discover that any of the doctrines contained in its Confession of Faith are not the doctrines of the Scriptures, then it is competent for her, in the exercise of her dogmatic power, to call a convention, to change those standards in accordance with the Scripture. But here is the point, Mr. Moderator: Until that is done we are under these standards and we are under no other standards. Until that is done—constitutionally done, and therefore rightfully done—done in accordance with the provisions of the system, and done so as to make the system in accordance with the Bible—until that is done, I say, this system is our law and we cannot repudiate the law. We cannot, by any individual action of our own, nullify that law; for we have sworn to adopt it. By our ordination vows we stand before the world as adopting it, and the whole Presbyterian Church stands before the world as adopting it. It will not do to say, then, that we have so far departed from those doctrines as to make an amendment necessary—so far as to make a reformation necessary. Until a movement is made for a re-adjustment of the doctrines—until that change in the standards is effected—we, as Presbyterians, are bound to stand by the system and hold the system in its integrity, and there is no possibility of our taking any other position, unless we would take the position of direct hostility to the standards. This would be a position of direct disobedience and hostility to the church of which we are members. Well, it is a very serious thing when in an officer of the church, elder or minister, it comes to that. It is a very serious thing when the liberty is claimed of impugning that system and of departing from that system in our preaching. I know nothing more fearful than to take the position that the individual, elder or preacher, standing under these solemn vows, may do this while adopting before the world that system as his—impugning it, or undermining or denying it, and saying in his public utterances, and saying even on the floor of this Presbytery that the church has departed from these standards.

Hence, I think there can be no ground for the distinction between the church actual and the church historic. The Presbyterian Church as it is to-day is Presbyterianism as it is formulated in the standards. It is impossible for us to take such a position as that; for if we do, where do we stand? Now, look at it for a moment. What, in that case, is your rule of faith? What is your umpire, your standard of judgment, provided you assume the position that you are no longer governed by the formulated standards, and are governed by the actual church? How are you to determine what actual Presbyterianism is? What are you to do? Suppose a candidate for licensure or

ordination comes before you from one of our theological schools, and tells you, "I stand on the basis of actual Presbyterianism; I cannot subscribe to your historical standards; I have departed from those historical standards; I cannot subscribe to that Confession; I cannot respond in the affirmative to these inquiries." What can you do? Can you lay your hands upon him? Is there a Presbytery in this whole land that would license a man, or that would ordain a man, who should make before the Presbytery such a plea as that—planting himself on a theology which is actual and a church which is actual, as distinguished from the historic church of our fathers—as distinguished from the church represented in this Calvinistic system. It is perfectly manifest that we could not stand for an hour on such a basis as that. But the moment you say we can, then your appeal is to public opinion and not to the law and testimony of God—to uncertain and fickle voices of popular feeling, and not to our ancient symbols; and you are governed in your judgment by the outside world rather than by the Church of Christ. You are governed by the votes—by the voice of an existing church—the people of an existing time—rather than by those glorious standards that have come down to us from the Westminster Assembly, and have been adopted and held and honored now for 230 years by all the Presbyterians in the world.

It has seemed to me that the very gravamen of Professor Swing's error or offense, in this case is, his own war upon *dogmas*, as he calls them; that is to say, upon *doctrines;* that is to say again, upon theology; that is to say still further, upon the formulated standards of the church. I have read these sermons from time to time during the past year; I have heard his preaching, and I have always heard it with great pain—with inexpressible pain—on that very point—and it has seemed to me that he, in the exercise of philanthropy, and charity, and good will, and all that humanitarianism which characterizes the age, and which is so exemplified in himself, was drifting more and more into a position of hostility to the faith of the fathers—of hostility to the standards of the church. The very title which he gives to that sermon—*Christianity and Dogma*—is an indication of this tendency. By dogma Professor Swing means doctrine; and that term dogma is a favorite expression in many of the sermons. Dogma is taken from the old Greek and Latin, and is a current word in the languages of Europe as expressive of doctrine, and books are published there under the head of "Dogma" or doctrine, without ever making it a term of reproach. Unfortunately, it is a word which, in our country, carries with it a certain degree of opprobrium, and that is one reason why I have felt grieved to see this and other terms used in a manner, which, as applied to our church and to our theology, and to our standards, could not fail, in the public estimation, to carry a certain degree of opprobrium. But it is perfectly plain, that by the term "dogma," and "dogmas," Professor Swing means the doctrines of the church as formulated in the standards. In one of the sermons in evidence, he says expressly, these doctrines are dying around our firesides. Now, what doctrines? The doctrines of our standards—the doctrines of the catechism; and it is on the ground of teaching like this, that many persons in this city have come to believe that the Confession of Faith is an obsolete system, and it has gone out from the secular press and been spread all over the country that it is a rotten platform. It has been pronounced such by the papers—that it is a dead-letter, that it is a rotten platform, that these dogmas or doctrines, are dying around our firesides; and I have been pained to feel that it is preaching of this kind that has been helping to kill them. But, Mr. Moderator, I feel that they have a deathless life. They cannot die. They are as indestructible as the Bible. I hold these doctrines, and I hold them with all the greater tenacity, because our fathers held them. They held them; they lived them, and in the belief of them they died and went to heaven; and we are safe when we follow in their steps. They are not going to die. They may be brought into disrepute in our city; they may have arrayed against them all the hostility of a skeptical and unbelieving age, they may be pronounced obsolete and pronounced to be dead-letters and dying doctrines; but they are as deathless as the Word of God; they are the very doctrines that are taught in the Word of God.

Now, just at this point, let me say that Prof. Swing has not been satisfied simply to depart from these doctrines and let them alone. It is one thing to do that; and I

know that you may look through the Church and find many persons who have, in some measure, departed from the *ipsissima verba* of the standards, and they hold these *sub judice*. They hold them until they shall be modified, if indeed they ever shall be, but they do not hold them up to derision, they do not set themselves in hostile array against them. They are content to hold them, but not to revile them. Sad to say, I think our brother has not been content with this silence. I think he has gone further than simply to withhold his assent from them. I think he has, in many cases, held them up in such a way as to create odium—as to cast opprobrium on those that do hold them, and on the Church that is bound to maintain them. He has misrepresented them, and, I think, has caricatured them. Take the plea which is in proof on this point. If you will read that plea attentively—I have read that plea as attentively as I think I ever read anything in my life, during these days—I think you must come to the conviction that there are doctrines charged as belonging to the Presbyterian Church—charged as being a part of its formulated theology—which are held up to opprobrium by being misrepresented—by being caricatured. Such is the case with that doctrine which he calls the "terrific doctrine of hell." Well, hell *is* a terrific doctrine in our standards; but it is no more terrific in our standards than it is in the New Testament. I know no words that ever taught the terror of hell so terrifically as the words of the blessed Master himself. Does that make his a "religion of despair?" I cannot see that this doctrine is any more terrific in the standards than it is terrific in the words of Jesus. Is it fair, then, and is it right to represent the church in that way before the world?

Then, Prof. Swing, in that plea, has spoken of the destruction of the human will; of the standards as teaching the destruction of the human will—as teaching the independent sovereignty of God to the extent of destroying the will; and there are persons in this city who believe that this is the doctrine of the standards. What a misrepresentation of the doctrine. We have a chapter in our Confession on the decrees of God, but we have another chapter on the free agency of man; and while we hold the one, we hold the other. The Presbyterian Church has never held any doctrine which did impugn or destroy the free agency of man, or look towards "a dark fatalism." How can we be loyal to the Presbyterian Church when we represent her as teaching that doctrine, or as having ever taught such a doctrine? We are not responsible for what Luther taught. We are not responsible, even, for what Calvin taught. Our standards go back only to the Westminster Assembly of 1643; and to go back to the reformers you have to go one hundred years beyond that time. We are not bound by the individual utterances of the reformers Calvin, Zwinglius or Luther. Now, our system has never taught any such doctrine as that, and it is not right to represent the Presbyterian Church before the world as responsible for the doctrine which impugns or destroys the free agency of man.

The same may be said of his treatment of our doctrine of salvation by faith, as something opposed to a holy life; as if our Church had not always contended for holiness and good works, as the essential fruits and evidence of a justifying faith. So also, as to the doctrine of the Divine decrees, election or predestination—God's eternal purpose, according to the counsel of His will, whereby for His own glory He hath foreordained whatsoever comes to pass. Our standards do, indeed, contain the doctrine of election and the doctrine of reprobation—the election of the righteous to life, and the reprobation of the wicked to death. But in what light has Prof. Swing held up that doctrine? Take a single example. Now, to make the point plain, I need not quote more than a single passage, and submit it to you if it does not fix the point I am now making as to the fact that he derides these doctrines. It is on page 23, of "Truths for To-day." The passage has already been read in the Court. I will only read a part; I need not read the context:

"Rubric, surplice, prayer-book, two souls of Christ, the Easter time, the transfiguration light, *the election*, *the predestination*, the laying on of hands—all count no more with the thoughtful historian seeking for the merits of an age, than count the customs of those eras or the carriages they drove. We place them below price."

What is placed below price? Is it some peculiar theory about election or predestination—any one of the theories ever promulgated in one of our declarations—the Auburn,

or any other declaration? Why, "the election," "the predestination" are placed precisely in the same category with these other things; and the passage closes with the declaration—"we place them below price." It is not simply that the historian would pass them over in getting up his accounts of the merits of an age, but it closes with that expression: "*We* place them below price." That is to say, we place election and predestination, the very substance of one of our whole chapters in the Confession of Faith—we place them precisely where we place these discussions about Easter time and the prayer book, and the rubric, and the surplice, and the two souls of Christ, and the laying on of hands.

Oh, can you say, fellow Presbyters, that this is being loyal to the Confession of Faith? Can you say that it is right for him, or for any one, thus to hold up to the public, great fundamental doctrines which constitute a part, and an integral part of the Confession of Faith, a part too of the Scriptures of God? Now, bear with me while I repeat the point, that it is not some mode of explaining this, that or the other doctrine, but it is the doctrine in its entireness. Can you strike the whole doctrine of election down, or of predestination down? But this sentence, if it does anything, strikes the whole doctrine down. How can we say that one can preach the doctrine of our church who will utter before the public language of that sort?

Now I can see very well how it is that Prof. Swing has gone on from step to step, carried along as I think by his intense, yearning sympathy for mankind, by his great charity and love, until he has come to hold in disregard and disrepute these great doctrines of the standards and the Scriptures. His preaching has been a perpetual appeal to what is mainly the humanitarian system, and the humanitarian view of the gospel—a God all merciful, and a Saviour that is willing to embrace the whole world without discrimination—a church actual, philanthropic, human. It is clear to see that one may be carried in that direction, that one may give his whole heart and soul and mind to that sort of popular preaching until he will virtually preach another gospel, until he will utterly ignore the justice of God; for a God too merciful is a God unjust. It seems to me he has been carried along to that degree, that he so far exalts the humanitarian view, and so far exalts the mercy and love of God as to obscure and ignore these other important attributes of God and great doctrinal truths of our Confession.

I have not adverted—though I feel that I ought—to that doctrine which has been presented in the plea, and frequently referred to here, and which is itself a woeful caricature, not only of our standards, but of Calvinism itself in Calvin's own case—I refer to the damnation of infants. Now our standards not only do not teach the damnation of infants, but all the defenders and commentators of our standards for 230 years—that is to say, ever since they have been held—have repudiated the doctrine of infant damnation, as forming no part of our system; and we do not more heartily repudiate that doctrine today than our fathers did before us. I have read, and very carefully read—I think there is no department in which I have read with so much care, and to such an extent—the history of the Presbyterian Church in this country for 170 years—from its origin down, embracing both the branches. I have read the individual lives of our ministers; and in all my reading in this department of Presbyterian history, I have not met with a single case of a Presbyterian minister in all our galaxy of ministers from Makemie down to our own day, who has ever taught any such doctrine as that—who has ever maintained the doctrine of the damnation of infants. And yet there are persons in our city who are led to believe that our leaders in the past have taught that doctrine—that our Confession teaches it. I have had ladies to come to me within the past two or three weeks troubled on that point, and it has been asked by our Sabbath School children of their teachers,—"Is it true that your Confession of Faith teaches the doctrine of the damnation of infants?"

Mr. Walker: Has not that been charged upon the church long before Prof. Swing preached?

Dr. Halsey: Yes; but we have always held that the charge was false. Prof. Swing said that he has had to meet the charge, and we all have had to meet it. There is probably not a man in our ministry who has not been called to meet it. But how has he met it? Has he met it—as we have done with an indignant denial—by saying it is not taught in the standards? All that is taught there is the election of infants who die in infancy,

just as the election of adults who believe is taught; and we have always met it in precisely this way, that this language does not teach or imply the charge. Calvin himself did not hold this doctrine of the damnation of infants. I think it is just that I should, while on this point, in order that certain views which have gone abroad should be corrected—I think it is just that I should state here, in passing, if you will allow the digression, the views of Calvin, as they have been well stated by the late Dr. Thomas Smythe, one of the most learned men in this department of history that our church has ever produced, and whose works are on the shelves of all our theological libraries. Having lost several children about twenty-five or, perhaps, thirty years ago, he was led to investigate this whole subject of infant salvation; and he published a book in regard to it in 1848—a book called, "Bereaved Parents Consoled," in the course of which he goes fully into this whole question, and examines the doctrines back to the Reformation, and even before the Reformation. I give you now his summing up as regards the subject of Calvin's views, page 24.

"Calvin clearly recognized the fact that all infants are involved in the guilt of Adam's sin, and therefore *liable to the misery* in which it has involved our race. But at the same time he encourages the belief, that they are *redeemed from their evils by Christ*, are capable of Regeneration, and are, when *taken away in infancy*, 'redeemed by the blood of the Lamb.'"

Dr. Patterson.—I would say that is not Calvinism.

Dr. Halsey.—It is Smythe's statement of Calvin's own view; it is on the 24th and 25th pages of this book, and in the footnotes he gives you the references to the "Institutes." I have myself examined the "Institutes." Let me continue the reading.

"Calvin argues against those who, like the Anabaptists, asserted that regeneration cannot take place in early infancy. For, says he, if they must be left among the children of Adam, they are left in death, for in Adam only can we die. On the contrary, Christ commands them to be brought to Him. Why? Because he is life. To give them life, therefore, He makes them partake of himself, while these men, by driving them away from Him, adjudged them to death! He then goes on to prove, by incontestible arguments, that infants both have been and can be regenerated by God. And in his Commentary on the words of our Saviour, 'Of such is the kingdom of heaven,' without any limitation of his meaning, he unequivocally declares that 'God adopts infants, and washes them in the blood of His Son,' and that 'they are regenerated by Christ as among His flock.' In this passage he adds, 'Christ is not speaking of the general guilt in which all the descendants of Adam are involved, but only threatening the despisers of the Gospel who proudly and obstinately reject the grace that is offered them.' I likewise oppose a contrary argument: all those whom Christ blesses are exempted from the curse of Adam, and the wrath of God; and as it is known that infants were blessed by Him, it follows that they are exempted from death. Certain it is that Calvinists were foremost in overthrowing the dogma that baptism was essentially connected with salvation, and in establishing the truth, that the want of it does not militate against their future safety."

Zwinglius went still further than Calvin, and taught the absolute universal salvation of all infants of believers and heathen alike. Calvin did not teach the damnation of infants, but he showed a way whereby, through the blood of Christ and the regenerating influences of the Holy Ghost, the infants of believers were certainly saved—that other infants dying in infancy were saved on the same ground, because that made them all the elect of God; and he left the way open for the salvation of all others, by the blood of Christ and regeneration of the Spirit. That was the doctrine of Calvin, if I have not wholly misunderstood him; and this is the judgment given by one whom, I think, is competent authority to tell us what Calvin said.

But even if it were true that Calvin and Luther taught the doctrine in question, they lived one hundred years before the period of the Westminster Assembly, and we are not responsible for their individual opinions. I am sorry that Dr. Patterson seemed to make our church responsible because it had published the "Institutes" of Calvin.

Dr. Patterson.—I beg to say, Mr. Moderator, that I did not mean to make the church responsible for Calvin's opinion, but to say it was a reason why it should be dis-

avowed, because it seemed to throw a shade over our interpretation.

Dr. Halsey:—I think all the Assembly meant by that was, that they would publish the Institutes as any other good book; of course the Church has never adopted the individual opinions of Calvin; and in publishing the works of Calvin, the Church holds itself irresponsible, just as it does in the case of other authors, the Church not being held responsible for every jot and tittle that may be published by its Boards. The author is responsible—not the church.

But as Dr. Patterson has set that matter right, I will pass on.

Let me advert, now, in a word to these specifications under the Charges. It has been alleged, but I think without cause, that the several specifications under those Charges are not as to matters of *fact*, but simply as to words or opinions; and therefore we cannot sit in judgment on them—we cannot recognize them as pertinent. But clearly that whole representation confounds two things which are very distinct. It confounds a criminal prosecution with a prosecution for error. Now, if this were a criminal action, that reasoning would all be true, and Mr. Noyes would be correct in every authority he cited and every remark he made about specific acts. If it were a criminal prosecution, then you would have to specify time and place and particular acts; but, seeing it is not that at all, but simply a question of error in doctrine, the specifications are as to the doctrines denied or impugned. The specification must embrace the teaching, if it it embraces anything. The specifications under such a charge could not embrace overt acts, because no such acts are covered by error—no outward acts are included in error. The acts included in error are the errors themselves; and here the errors are on record, and every error charged is therefore a particular act, if you please to call it so, because it is a departure from the standard, if it be an error: and it must be judged of then, not as you judge of a specification in a matter of fact, but as you judge of the error in teaching.

From all the attention I have been able to give to this testimony, and from all the argument on both sides—and I have not missed a day or an hour in it all—and from all the reading I have been able to give to these sermons at home, carefully and prayerfully, it seems to me that there are three points at least in the teaching of Prof. Swing which are departures from the standards. I think there are three of the doctrines—not to mention others—in which he is liable to the charge preferred against him. It seems to me that he does not preach, and does not hold three doctrines that are among the essential doctrines of our standards. They are, the Supreme Divinity of Christ Jesus, as differentiating our system entirely from that of the Unitarian churches, or the Rationalistic churches; the decree of Election and Predestination, involving the doctrine of the Divine Sovereignty in the whole work of our salvation, as differentiating our Church from the Arminian or Wesleyan Methodist Churches; and then the doctrine of Justification by Faith—by faith in contradistinction to justification by works; that is to say, justification by faith *alone* (though the justification will not stand alone) as differentiating our church from the Roman Catholic doctrine of justification. If we are Presbyterians at all, and have any mission in the world to accomplish as Presbyterians, and have any testimony to bear in the world as Presbyterians—if there is any distinct place for us in the great family of Christendom, it is our position as standing on these three points. These three points differentiate us from the Roman Catholics, from the Unitarians, from the Arminians. The difference is wider in respect to some of these bodies than others. I will admit that we all hold some things in common, but it is nevertheless true that these doctrines do thus differentiate us; and in doing so, I have always felt that they constitute the very glory of our historic Church. We have stood there, and we have maintained these doctrines intact from the beginning.

I am not going into the argument or the reasons which have led me to take this view. But now as regards the Supreme Divinity of Jesus Christ let me say a word. It has been said here that we should be satisfied with the statement of Dr. Hodge, as made in the Philadelphia Convention, and quoted by Dr. Shedd in his answer to the protest already referred to. The quotation from Dr. Hodge is in these words: "If a man comes to us and adopts the system of doctrine taught in our Confession, we have a right to ask him: 'Do you believe there are three persons in the Godhead—the Father, the Son and the Holy Ghost—and that these three are one

God, the same in substance, equal in power and glory?' If he says, Yes, we are satisfied. We do not call upon him to explain *how* three persons are one God, or to determine what relations in the awful mysteries of the Godhead are indicated by the terms Father, Son and Holy Ghost."

Dr. Hodge says that under such circumstances he should ask no more—that he should be satisfied. And so should we all. But mark it: here are the *three persons* in the one God, Father, Son, and Holy Ghost. But now just suppose a candidate for licensure, or a young man, a candidate for ordination, should come before you at the next meeting of the Presbytery, and instead of repeating to you the substance of that declaration—"I believe in the Father, Son, and Holy Ghost, as three persons, the same in substance, equal in power and glory"–suppose that, instead of that, he should utter himself in the very language which has been read in your hearing, and which it is charged is not sound doctrine, that "Christianity bears readily the idea of three *offices*, and permits the one God to appear in Father, or in Son, or in Spirit;" and to this should add, that what mankind will need most, and use most, will be these three *influences*, and not the enigma of three persons in one. Is there a Presbytery in the world—in this country, in Scotland, in Ireland—is there a Presbytery anywhere that would feel this to be sufficient as a declaration of belief in the standards? Is there a Presbytery anywhere that would license or ordain a candidate making no other confession than this—that God may appear in three forms—may assume three offices, or exert three influences, appearing now in Father, now in Son, and now in Holy Ghost? Why, brethren, how can we receive that as an avowal of the doctrine of the Trinity—of the threeness in one and the oneness in three—three forms and one God. How can we take that as an explicit statement of doctrine, when we know that is the precise form of statement for a doctrine which is in antagonism with the doctrine as we receive it? Certainly we cannot be regarded, in any sense of the term, as holding to the Supreme Divinity and equality of the Lord Jesus Christ with God, if we go no farther than this.

Now, without dwelling further on the doctrine of Election or the Decrees, let me come to the last of these fundamental doctrines—the doctrine of Justification by Faith. The sermon on Faith, in "Truths for To-Day," is the sermon which seems to me the most erroneous. I think the whole teaching of that sermon is in conflict with our standards. I have not met with any such teaching as that from any one that may be regarded as a great representative teacher in any school of Presbyterian theology. The text here is: "He that believeth on the Son hath everlasting life, but he that believeth not the Son shall not see life, but the wrath of God abideth on him."

When I sat down to read that sermon, I put my mind, so far as I was able, in the posture of a hearer—in the posture of one that was desirous to find the way all clear and all right with our brother, in this great fundamental doctrine; for it seemed to me that if there was a text in all the Bible which went to the very essentials—the very vitals of religion and of our faith, it was that text. I thought to myself, if we should find the true way of salvation pointed out anywhere, it would be from the passage which I have just quoted.

Now let me remark that in this sermon, from the beginning to the end, while it is one of the most vital points of our religion, there is no mention of *Christ's righteousness* whatever. There is not the slightest reference to the righteousness of Christ in the sermon. The word righteousness is used several times, but it is *man's* righteousness in the sense of holiness—in the sense of a perfect or good life. Holiness is insisted on, as in this sentence, for example, on the 239th page of the volume: "If a departure from righteousness was man's fall, a return to it will be his safety—the heaven of his soul. If this be true, then Christ is a Saviour in so far as he helps man back to that high place from which he fell in this career."

Here it is *man's* righteousness. But how does Christ help man in this righteousness? Not a syllable is said as to the method of that help, or the manner of that help, or the ground of it—nothing as to the divine righteousness as being a part of the sinner's righteousness—as laying the foundation for the sinner's salvation. From beginning to end, the whole idea of a divine righteousness as being needful, as lying at the foundation, is ignored, and the only righteousness mentioned throughout the sermon is the righteousness of man, and all the representation

of Christ is where Christ is regarded as a helper in this righteousness. How could the preacher leave out so fundamental a point in such preaching as this?—preaching salvation—but salvation having no reference to the atoning righteousness of the Lord Jesus Christ?

Then again there is no mention, in this sermon, of faith as being the gift of God; "saved by faith"—but nowhere is that faith represented as the gift of God; nowhere is that faith represented as being produced by the spirit of God. Christ's righteousness is ignored; faith is spoken of as justifying, but faith is nowhere represent d as God's gift, or as the product of the spirit's agency; but, on the contrary, throughout the sermon expressions of this sort are used. Page 240: Faith is called a "natural law," or a "constant force acting naturally." On page 241, belief is said to be a "permanent law of intellectual life." "Faith is this permanent natural force." Page 241 again: "Faith in Christ is a rich soil, of which righteousness is the gorgeous bloom." That is, *human* righteousness, of course—man's own righteousness—is the bloom that springs from that rich soil; but faith in Christ is this soil, and that faith is a permanent natural force, and is the law of intellectual life.

Then again: "Faith is the drift of one's heart and mind in morals. All definitions of it, as being a belief in things not well known, or a belief in testimony, or in doctrines hard to understand, are wasted words."

How does that agree with the Bible? "Faith is the substance of things hoped for, the evidence of things not seen." Faith is belief in God's testimony respecting his Son. Faith is the belief of the very doctrines which some of the disciples found too hard to believe, and went away from following the Master, when he said to those remaining, "Will ye also go away?" How does that accord with what is here said on faith as being the "drift of one's mind and morals," and all "definitions of it as being belief in things not well known, or a belief in testimony, or in doctrines hard to be understood, are wasted words?"

Mr. Walker.—How about James?

Dr. Halsey.—James is not on trial here.

Mr. Walker.—I rather supposed he was.

Dr. Patterson.—James *is* on trial.

Dr. Halsey.—Again, page 244: "Faith saves the soul, therefore, not by any arbitrary decree, not by any form of equivalents or compensation." I don't know precisely what that means—"equivalents or compensation;" but construing it according to the meaning most obvious to my mind, it seems as if it did strike at the act of justification. I cannot say. But let me read it again:

'Faith saves the soul, therefore, not by any arbitrary decree, not by any form of equivalents or compensation, but by its natural action. It urges the soul along toward virtue, just as the ground presses forward its imbedded germs. The older philosophers made an expression, *natura naturans* 'nature acting naturally,' nature in its daily method. In the salvation of the soul, faith is 'nature acting naturally.'"

Well, now if that be true, then where is grace? If that be the doctrine, then where is Paul? Where is the agency of the Divine Spirit? It is not brought to light in that sermon at all, but faith is represented as a natural force—*natura naturans;* the old expression is adopted as expressing its action—nature acting naturally. Is this the doctrine of our standards? Is this the doctrine of the Confession of Faith, or of the Presbyterian Church, either historical or actual? I have not met any such doctrine as that, taught in a Presbyterian Church. I feel perfectly authorized to say that no such view as that has been taught—ever has been taught in a single theological school of our Church. It seems to me that this doctrine strikes at the very foundation of evangelical truth; this doctrine is in the very teeth of doctrines which we hold to be as clear as any doctrines that God has ever revealed. I see, in all this sermon, neither agency of Spirit nor gift of God's grace, but faith is just a product of the mind without any supernatural agency whatsoever.

This is in keeping with his teaching in other sermons. Let us refer to page 23 of the same volume—"*Truths for To-Day.*" He says:

"There is a certain divine instinct in man that enables him, when measuring the past, to become noble, and seize upon the valuable elements in character, and pass by the temporary without any doubt or regret; but dealing with the present, this divine instinct seems to desert us; and grasping an accident in our arms, we permit virtue and faith and charity, God and heaven, to fall through to the dust."

"A certain divine instinct in man!" Where do we find any such doctrine as that taught, either in the standards or in the Scriptures? Now, it seems to me that the whole doctrine of the sermon on Faith is erroneous; and I take that sermon as a test sermon, because that sermon is on a text which lies at the very foundations of saving truth; and if we can find the way of salvation indicated anywhere we ought to find it there. So far as I can judge of the doctrine taught here, it is a compound of the old Roman Catholic doctrine of justification which confounds it with sanctification, and makes it mean simply that we are justified on the ground of our own holy life—that God sees in us a good character, and on the ground of that character justifies us—along with a more recent and more plausible doctrine, which is called the Moral Influence doctrine, or the doctrine of Moral Suasion, which is held by the writers and preachers in the Unitarian Church, and other kindred denominations. There is this moral influence theory traceable in the sermon, and it would seem to mean this in some expressions, while in others, it would seem to go back to the old doctrine of good works as held by the Church of Rome, against which the Reformers protested. I cannot see that Prof. Swing represents faith at all, anywhere, as the gift of God, or as the product of the Spirit of God, but simply as a natural quality—an instinct of the soul. In other words, faith is a *work*; it just comes to that. We are all theologians enough to see that if this is the true view of faith, then faith is the work *par excellence*, that saves the soul. But then, it is man's work alone; it is not God's work at all; and salvation is no longer by grace, but of works. It is *par excellence* the saving grace, but it is a human work, and therefore it is in direct and palpable conflict with the Scriptures. This is not Presbyterian Gospel. It is not the evangelical Gospel; and if Paul were here to-day, would *he* endorse such preaching? Can we suppose that the apostle, after having taught the doctrine he did in the Epistle to the Galatians, and in that to the Romans, would accept this as a true teaching?

Now, let me come to another point—for I will hasten to a conclusion—let me come to notice what is laid down for our guidance in the standards. In the Book of Discipline, chap. 5, sec. 3, we find:

"Heresy and schism may be of such a nature as to infer deposition; but errors ought to be carefully considered; whether they strike at the vitals of religion, and are industriously spread; or whether they arise from the weakness of the human understanding, and are not likely to do much injury."

Clearly, these errors do not come under that last description. They arise from no weakness of the understanding, and I do not think it would be said that they are errors—if they are errors at all—which are harmless, or are not likely to do much injury. If what I have said is true, then these errors *do* strike at the vitals of religion, and it is clear that they are industriously spread. They are proclaimed on the housetop. They have been preached for years, and they are circulated in the newspapers, and now circulated in the printed volumes; and if there is error at all, it is error that is not concealed, but is proclaimed, and so far as it is error at all, it cannot fail to be injurious. There is no man in this broad land whose preaching carries a wider influence; and if it be erroneous at all, it is error proclaimed in such a way, and carrying with it such an influence that we cannot tell how much damage it may do in the long run. It will not do for us to take the ground, simply, of falling back on the Bible. We must stand, in this judgment, on the Standards. To go back and say that he preaches in accordance with the Bible, will not do. I will venture to say, that when Dr. Patterson read here yesterday, that everything in the Bible pertaining to the doctrine of future punishment might be written on a page, I will venture to say that there was not a minister of any of the churches, however far departed from the faith—Unitarian, Universalists, or any other—who would not say "Amen to that; if that is all, I am as good a Presbyterian as any individual in this body." Are we indeed ready to throw open the door, and let all in to one broad church, and stand together on the Bible alone, without any authorized standards? Well, I am not ready for that. We have a church: we have an opinion as Presbyterians: we have our differences of opinion as denominations of Christians: we have our respective creeds; and it will not do simply to plead, when worsted in the argument, and it is found impossible to reconcile this teaching with the standards—it will not do to go back and say: Then this teaching is in accordance with the Bible. For if it is

in the Bible, then all other teaching may be said to be in accordance with the Bible; and where do we stand? Are we ready to merge all denominations into one, and sink all differences out of view, and all adherence to the symbols of the past? The time has not come, Mr. Moderator, when the church is ready for that.

Dr. Patterson:—Mr. Moderator: I wish to explain what I said of the quantity of teaching on the subject of endless punishment in the Scriptures. I said that it had to do with the frequency with which a minister should preach upon that point.

Dr. Halsey:—I accept Dr. Patterson's explanation.

I do not need much more time, brethren. I have spoken, now, longer than I expected.

Let me revert, for a moment, to the principles which must govern us in our action, as laid down in the Craighead case, and as reaffirmed, some of them, in the Barnes case. You will find them in the Digest. I need not read them. There are three principles: One accused of error is not to be condemned by mere inference. Of course we all stand by that. We are not to condemn any man by an inference. Well, it is clear to my mind, that there is something more than inference here. It has been charged that these are mere inferences in the prosecutor's mind. It is clear to me that we are not to deny all the ordinary laws of construction in passing upon the matter. If the language I have quoted from the sermon on Faith does not constitute error—a dangerous error—error which strikes at the very vitals of religion—then I do not know where you will find error.

Then again: No one is to be condemned for holding error, provided his language can be construed in his favor. If a favorable construction can be given to the words, he is entitled to that favor. If the words can be so construed as to teach the doctrine which he is charged with denying, of course he has the benefit of it. But it is clear to me, that this cannot be pleaded in this case; that the language is plain, direct and explicit language, and language, some of it, in the very face of any averment that can be made to the contrary.

Then, again: a rule is laid down that the errors must be disavowed by the accused person, and that the contrary doctrines, or the doctrines opposed to these errors—the doctrines impugned—must be avowed by him. So far as I can see, neither in the plea, nor in the speech, did our brother expressly disavow these doctrinal errors alleged against him; and we cannot affirm that he has avowed the doctrines impugned, unless you take simply the plea "*not guilty*" as the avowal. I have not heard him avow that the three persons in the Godhead are one—that they are the same in substance, and equal in power and glory. I have listened in vain for any such avowal as that. But that avowal must be given in case he is to meet this charge. I had hoped all along, from the time this case began, that there would be a clean, full, square, and satisfactory avowal—not only disavowal of the errors charged, but of an avowal of the doctrines of the Confession of Faith. But I do not consider that the brief statement at the close of the plea covers the case at all. It does not seem to me that that comes up at all to the merits of the case. It is not satisfactory, and cannot be regarded as satisfactory, in view of all the contrary statements which we have in evidence from the writer.

Now there is one other point, and perhaps it will weigh with many as strongly as any of the points in favor of the accused. I am free to say that, with my own mind, it has weighed with a greater weight than anything else—far more than the arguments I have heard, and far more than his own plea did. The point is this. In this volume of sermons, "Truths for To-day," while we find all those errors that have been pointed out, yet there are many statements of doctrine that sound evangelical, and *are* evangelical. I do not hesitate to say that in these volumes there are many good things, there are many true things, there are many scriptural truths, there are many doctrines in which I can heartily rejoice. There is much of good, there is much of Christ, there is much about many points which we can regard as evangelical. But along with these evangelical statements, along with these sound doctrines, stand these errors; so that the truth is mixed up with the error, and the truth is not discriminated from the error; the error and the truth are both promulgated and sent out to the world side by side, in the same volume, and sometimes in the same discourse; and that is the characteristic of all these discourses.

Well, what are we to do? Are we to take the evangelical, and make that an offset to

the unevangelical? Is that the procedure? We are responsible for the effects of the teaching as we are responsible for our own teaching. We cannot indorse error when we think it to be error; we cannot be partakers thus in promulgating error. What then are we to do? Is there no redress, no remedy, no cure for the promulgation of fatal or dangerous errors in our Church? Are we doomed to silence, absolute and unbroken, when we see heretical doctrines creeping in and undermining the very citadel of our strength? And must we, by our silence and our acquiescence, give indorsement to the propagation of false doctrines, and thus become partakers of one another's departures from, and unfaithfulness to, the gospel of Christ? I do not so understand the law of Christ, and the law of the Presbyterian Church, and I cannot, even by a vote, give my indorsement to errors such as these. And you will bear with me if I say that in all the cases on record of departure from truth, the process has always been a gradual one—here a little and there a little—a little now, and then a little more; and in the case of the person who is thus gradually departing from the faith, his discourse will be mixed, and contain both the good and the bad—the right on the one side, and the wrong on the other; and it will go on, ignoring the Divine sovereignty and unduly exalting human agency in the work of salvation, and constantly preaching this humanitarian gospel of boundless love, until at last the errorist will be ready to cross the line. Is not that the history of every man who has been reared in a sound faith, and has left the faith of his fathers? That was remarkably the case with the celebrated Theodor Clapp, of New Orleans; and it was many years before it could be definitely settled whether he was preaching the doctrines of the Church or not, until at last, through the process of years, he crossed the boundary and became a Unitarian, and at last a Universalist.

We are then to sit in judgment upon the case as we find it; and if we find error here, we must decide on that. With these remarks I close.

OPINION OF REV. DR. ARTHUR SWAZEY.

Mr. Moderator: I shall not tax the patience of the court by an attempt to traverse this indictment. I speak againts its spirit and its substantive charge.

There are some things peculiar in this prosecution. When a blow comes you naturally look to see from what quarter. I notice that the parties behind the prosecution in Chicago opposed the Reunion of the churches, as I did, but for opposite reasons; but now that the Reunion is accomplished, are not willing to abide by the terms of compact, as I and others strive to do.

Another thing peculiar to this case is the manner in which the prosecution was entered upon. Prof. Patton did not strive to have a mutual understanding with his co-presbyter, Prof. Swing. He did not try to cover or explain any eccentricities of thought (if such there were) on the part of Prof. Swing, or express the hope that Prof. Swing might find an easy explanation for any language not satisfactory to him. But the first move was an onslaught, as upon an enemy of divine revelation. After that, he did not do what the proprieties of the case required, viz.: call together a few trusted brethren to see if Prof. Swing could not be brought into harmony with others, and a theological controversy avoided. On the contrary, as though he regarded Prof. Swing's peculiarities a very God-send to him, he flung down the gauntlet by declaring in the columns of *The Interior*, and sending abroad in the church, his "doubts" of Prof. Swing's theological integrity; a publication which was not in the way of argument, and was therefore defamatory in the highest degree, and which, apparently, was designed to create a public opinion unfavorable to the popular preacher. Then came the formal charges.

Again; the management of the case has not the look of a desire simply to arrive at the truth. Instead of allowing Prof. Swing every advantage to show his doctrinal integrity, every movement of the prosecution has been with an apparent aim at something else. If his desire was to handle Prof. Swing fairly in this Presbytery, he would not have gone away down into Kentucky to get on the scent of a friendly word written or spoken to Robert Laird Collier; he would not have depreciated the testimony of the elders of the Fourth Church; he would not have tried to rule out Mr. Waite's testimony in particular; he would not have tried to rule out Prof. Swing's Wednesday-night homilies, and sermons preached before the fire. He would have said—let us know all

we can know of the public sayings of this good brother.

He would not have tried to magnify a word of doubt expressed long ago and discovered to be unreasonable. On the contrary, he would have taken satisfaction in any new light which might have been derived from the experience of others with Prof. Swing.

Still further, if he meant kindly, as well as honestly, and the honesty part of it I do not call into question, he would have made explicit charges, instead of laying a trap to catch a man whom he believed to be in error, but had no conviction as to where the error lay.

We are face to face with the decision of the case. We have listened patiently to a long array of charges. We have given the prosecutor ample time to spread out his individual theology; a matter entirely irrelevant to the decision of the question. We have suffered him to brow-beat the Court, and to insinuate repeatedly and severely against Prof. Swing's integrity, without reproof; and now the case, unparalleled in form, substance and management, approaches, I hope, its conclusion.

I was of the opinion at the outset that we ought to quash the indictment against Prof. Swing. This opinion was independent of any question of the defendant's doctrinal soundness. It was based on the form and nature of the charges and specifications. I find no fault with the Judicial Committee, however; no fault with the Presbytery, although I think its duty would have been performed quite as well, if it had said to Prof. Patton: We will hear you patiently when you name some capital instance of departure from our standards, but not before. The receiving of these charges is one of those instances in which men fearing to do wrong in one direction, do as great a wrong in another. We have gained a reputation for fairness towards a prosecutor, possibly at the expense of the rights of the accused, and probably at a loss of dignity and discrimination on the part of the Presbytery.

I make a very mild statement of my conviction when I say, the case being such as it is, that I cannot do otherwise than give my voice for the complete and unqualified acquittal of the defendant. The trial has not only not developed anything injurious, in my estimation, to Prof. Swing; on the contrary, it has given me a stronger idea of his doctrinal integrity, so far as we are permitted ecclesiastically to judge one another.

It has been so often affirmed by the prosecution and others, that the advocates of Prof. Swing's loyalty are influenced more by considerations of friendship than conviction, that I take this opportunity to call attention to a remark which could only originate among persons themselves accustomed to form opinions from a partisan stand-point, and to stigmatize it as an error in fact as well as in charity. This controversy on the one side, at least, is only a defense, including an assertion of Presbyterial rights against all assumption, either of othodoxy or authority.

There may be prejudice; but if so, who is answerable? If the circumstances in which this prosecution was begun, the attempt to create an opinion in our church unfavorable to Prof. Swing beforehand, and the demand for a continuance on fictitious grounds, and a resort to those technical complications, which in the civil court are signs of an indefensible position, if these circumstances prejudice the cause against the prosecutor, the responsibility does not belong to the advocates for an acquittal. I think, however, that even such a lawful prejudice will not enter into my judgment of the merits of the case. It matters not to me by whose fault or in what spirit Prof. Swing is brought into Court.

I have, however, a prejudice which I will confess; it is a prejudice in favor of a church at once orthodox and thoroughly catholic; at once sound in doctrine, and as broad as whatever intelligence, and piety and beauty, there may be in human society. I love the Presbyterian church, but I am free to say, that, if it should insist on a rigid construction of its confession and catechism, or on the severer form of Calvinistic doctrine, as necessary to the good faith of its ministers; or if it should frown habitually on wide-minded and useful men who, on the whole, prefer its doctrine and polity, but who reserve to themselves always independence of thought on science, philosophy, and social problems, and religious questions as well, and indeed all that pertains to culture and to life, my love would lessen so much that I would not lift my voice for, or against, any of its decisions.

If I understand the church, in which the best part of my life as a minister, has been spent, it is in genius what I desire it to be,

and a contradiction to the idea involved in the prosecution of this case. It has cost something for it to be what it is. And now Prof. Patton comes in among us, and we are invited to disown long years of labor for ecclesiastical union, and to dishonor the prayers and the tears of a whole generation seeking and at last finding a broad ground of recognition and of labor This I know is denied. This trial, it is said, is entered upon for the maintenance of sound doctrine. I shall not doubt the right of anyone to take that view of it. But I regard it far otherwise, viz: as a step towards a return to the literalisms of the confession as not only true, but in some sense, as the sum of all religious truth; I regard it indeed as a war between the letter and the spirit of all the reformed confessions. The position of our church is very plain. I could have brought witnesses on the stand, had I thought it worth the while, to prove what so many of us know, that this trial is part of a plan to "purge the church of its more liberal element." The numbers in sympathy with this plan are not great. They call in question however, (and this trial is the instrumentality) the very generally acknowledged attitude of the Presbyterian household, and make necessary what in other circumstances would be superfluous, viz: a re-affirmation of individual right in the matter both of interpreting and handling the word of God. Our church is not the rigid minister of words, but the keeper of facts and ideas. In our church no man can be an offender because his words are similar or dissimilar to the words of others. The same rule applies to theories concerning the form or the coloring of certain acknowledged facts or doctrines. Let us get the outlook.

In the adopting act of 1729 provision was expressly made for variation in style or thought, so long as the minister "declares his agreement in opinion with all the essential articles of said Confession." (Gillett, vol. 1, p. 56), and the Synod covenanted as follows: "And the Synod do solemnly agree, that none of us will traduce or use any opprobrious terms of those that differ from us in these extra essential and not necessary points of doctrine, but treat them with the same friendship, kindness and brotherly love, as if they had not differed from us in such sentiments. This, I remind the Presbytery, is the charter of the Presbyterian Church. It was a charter of liberty in the use of written symbols, and as such was so displeasing that a considerable number "left the Presbyterian Church and joined the seceders." The principles of this charter have been iterated time and again.

The historian of the Cumberland Presbyterians tells us that "it had been the practice of the Presbyterian Church in North Carolina to ordain men to the ministry who adopted the Confession with the *exception of the idea of fatality taught therein.* The Transylvania Presbytery, in whose bounds the revival of 1800 took place, had adopted the same plan, and permitted ministers in their ordination vows to take the same exception if they chose to do so. And it was worthy of notice also that most of the ministers who promoted the revival were men who made this exception to the doctrine of the Presbyterian Church. (Crisman quoted by Gillett, vol. 2, p. 178.)

Something of the genius of the Presbyterian Church is seen in the letter of the Assembly of 1807 to the Synod of Kentucky in review of its treatment of the Cumberland Presbytery. The Assembly says: "Without implying that the demands of our standards should be regarded otherwise than inviolable and indispensable, yet there must be supposed the right and duty of exercising a sound discretion, which will consult the spirit as well as the letter of the law; which will sometimes forbid the exercise of legitimate power; and which will endeavor with equal caution to avoid the extremes of vigor and laxness, which will yield something, yet not concede everything to circumstances; which, in a word, will recollect that power is given for edification and not for destruction, and endeavor to be guided by this rule." (Idem, p. 187.) In other words, the Presbyterian Church should be no Procrustian bed.

This indictment would change the American Church, with its grand history of independent thought and investigation, into a school of debate about words, unless some real, specific, and capital heresy be charged. What is the case before us? I have already analyzed this singular instrument sufficiently to show how irregular and deficient it is as a whole, and how frivolous even some of the specifications are. I add at this time only a word by way of illustration.

In specification six, Prof. Swing is charged with declaring that the value of a doctrine

is measured by the ability of men to verify it in their experience. That specification is without pertinence, and indeed is an invasion of the rights of individual opinion on the sources and methods of Christian knowledge, a matter on which no church that I know of has ever made a deliverance. The charge that Prof. Swing adopts the theory of "evolution or development" is entirely irrelevant. As a matter of fact, he does not adopt that theory, but if he did, this body has no jurisdiction over opinions on questions of science. And if it had jurisdiction, I suggest, without meaning disrespect to the brethren, that this Presbytery is not competent to say what scientific theory is or is not consistent with the word of God. It is extremely unfortunate when astronomies or cosmogonies are regarded as elements in the orthodox faith. This Presbytery and every judicatory of the church should frown upon all attempts to increase rather than to lessen the number of articles of belief on which men, if they be at the same time thinking men, and honest, must necessarily differ. The same substantially may be said of the attempt to determine judicially the obscure and symbolical portions of the Bible. There is room for, and in fact there are diverse opinions among confessedly sound men on the exact meaning of the New Testament offerings. And as to the Apocalypse, there never has been, and there probably never will be in our time, an agreement among biblical scholars on the question of interpretation. For Prof. Patton, therefore, to arraign Prof. Swing for certain opinions on these matters, indicates that he, himself, is not in harmony with the scholarship of the age, at least to the degree that he appreciates the difficulties of great biblical questions, and the infinite mischief of an attempt to create an ecclesiastical opinion. For our own part, we are amazed at the audacity which proposes a judicial review of the broad field on which men holding the evangelical doctrines are compelled to differ. This course would in the end divide the orthodox church into innumerable denominations distinguished by their views of unessential matters—as for example the meaning of the "seven vials," or the "seven candlesticks," or the measure of Ezekiel's wheel.

To admit that certain of these specifications, charge what is really an "offense" would make sad work in the Presbyterian household. It would be not so much to require assent to the *ipsissima verba* of the confession, as to add to the number of articles which the church ought to enforce. It would be the re-attempt to create a presbyterian bible, not unlike that once proposed by an eminent divine. To admit the validity of this indictment would be to propose, for assent thereto for all ministers, an article on the Damnation of the Virtuous Heathen; an article on the Nature of Inspiration; an article on the theory of Prophetic Interpretation; an article on Non-sympathy with Non-believers; an article of Protest against Huxley and Darwin; an article on the Methods of Evangelical Evidence, (discriminating against the internal and in favor of the external supports of bible truth); an article on the Divine Call to the Ministry, to supplement the article on its divine authority; an article on the Superior Culture and Experience of Adam, to supplement that on the creation of man in "knowledge, righteousness and holiness, with dominion over the creatures;" and many other articles which time does not allow me to mention. Can this court think for a moment of allowing a minister to be convicted on such specifications as Prof. Patton has brought in here?

In handling the charges relating to equivocal language, the prosecutor has, I am sorry to say, insinuated an intentional ambiguity on the part of Prof. Swing. He has intimated that he has been steering between Scylla and Charybdis with all the carefulness of an accomplished navigator; in other words, meaning to use double dealing with his hearers and with the gospel of God. These insinuations have been covert, but never the less real. In my judgment they ought to be repelled with indignation. No man should insinuate what he does not charge. That the prosecutor has done so is one of the reasons for the opinion I have reached as to the animus of all these proceedings.

It is easy to find reasons why Professor Swing is sometimes misunderstood, which reflect no dishonor upon him.

First, interested parties garbling his discourses, culling words and phrases which, standing by themselves, have an unorthodox look, and commenting unfavorably upon them, and sending them all over the country, has had not a little to do with the misappre-

hension, so far as it is in any sense general. Some of this work has been done honestly, I doubt not; some of it has been done shamelessly.

Secondly, ministers and laymen in unevangelical churches have long been in the habit of seizing upon, and making the most of words and sentiments falling from the lips of evangelical men, which could be construed in their own favor, and as a sign of decay in orthodox Christianity. They have not failed to do so in this instance.

Thirdly, there are certain orthodox people, who are not satisfied with the ordinary coloring and relative proportions of evangelical doctrines. They have been taught, however, that what they hear from the pulpit, in coloring and proportions, as well as in fact, is the only orthodox faith. When, therefore, any man begins his variations on the vast compass and stretch of evangelical truth, they are delighted and somewhat surprised, and go about saying, naturally enough considering their order of mind, that this is something different from the old theology. It is different in coloring, but not in anatomy; but they do not make the discrimination until they have had some experience in the fresher and wider forms of divine truth. Then they find the same old gospel made fresh and young again.

It is to be observed that articles of religion, word-forms, are not identical with theology. They may change and substantive theology not be changed at all. But when they do change there is almost always misapprehension. For example, when the controversy touching the word-form of certain articles in our Confession arose about forty years ago, there was a vast deal of misrepresentation, a part of it growing out of honest misunderstanding.

The General Assembly of 1837 charged upon the four synods serious doctrinal departures. The comparison of those charges and the answer, which answer now by consent forms a part of the intrepretations of our standards, illustrates this point.

One error charged was this: "That we have no more to do with the first sin of Adam than with the sins of any other parent." The doctrine actually held, and so expressed by the accused was as follows: "By a divine constitution, Adam was so the head and representative of the race, that as a consequence of his transgression, all mankind became morally corrupt and liable to death, temporal and eternal."

Another error charged was: "That infants sustained the same relation to the moral government of God in this world as brute animals, and their suffering and death are to be accounted for on the same principles as those of brutes, and not by any means to be considered as penal." The answer was: "Brute animals sustain no such relation to the moral government of God, as does the human family. Infants are a part of the human family, and their sufferings and death are to be accounted for on the ground of their being involved in the general moral ruin of the race induced by the apostacy."

Another error charged was, "That the sufferings and death of Christ were not truly vicarious and penal, but symbolical, governmental and instructive only." The answer was: "The sufferings and death of Christ are not symbolical, governmental, and instructive only, but were truly vicarious—that is a substitute for the punishment due to transgressors."

Now what was the difficulty? Men were supposed to teach what they did not teach. It took something of time and patience to settle the dispute. It is just this and nothing more. Certain men had become dissatisfied with stereotyped methods of presenting the doctrine of sin, man's ability and disability under the law of God, and redemption by Jesus Christ.

The moment they began to use new phraseology, they were put under suspicion as secret enemies of the church. The issue we all know. It is the most natural thing in the world, that Prof. Swing's free use of phraseologies a little fresher than the hackneyed terms of the seminary and the pulpit, should meet with a challenge from anybody, professor, minister or layman, whose paramount idea of a church is not a certain system, but a certain type of theology. For myself, as a member of a Court of the Presbyterian church, which is at the same time called in our book "a court of Jesus Christ," I must pause when I am called upon to censure Prof. Swing because his language is thought by some to indicate a departure from the truth. I remember that Augustine was understood differently by different parties, and was stigmatized by some of the African bishops as a Latinizer. I remember that John of Antioch, and afterwards of Con-

stantinople, was accused of sailing away on the wings of his eloquence towards the errors of Origen, and was often stigmatized as a pestilent schismatic, and partly because his preaching attracted Jews, heathen, and heretics. I remember, also, what is not *mal apropos* to this occasion, that his trouble was caused partly by the imperial Eudoxia, a kind of prototype of Catherine II, who coaxed and threatened, but who could not silence the voice which was always declaring orthodoxy without obedience to be a snare of the devil. I bear in mind that Augustine and Chrysostom are in pretty good standing to-day as orthodox divines. I remember that the history of the church is full of such instances and I pause before venturing to blame Prof. Swing for words or phrases which, either by good or ill intent, may be misinterpreted as against the theology which he affirms, or as misleading to the minds of his hearers. It may be that they are leading these hearers into a profound knowledge of that glorious scheme of theology which gives all its worth and character to our confession of faith.

There is a reason why Prof. Swing should be misunderstood in the palpable aim of his preaching—an aim not originating with him, and one which would not be lost if his valuable life were to come to a close—an aim shared by many ministers and laymen of no mean attainments—men whose love for the Church no sane man can call into question. This aim (I speak simply by my own observation) is to assert for our system of faith the catholicity and universality for which the great mass of Christian people are yearning to-day. It is not to devitalize Christianity, nor to put it on a level with other religions, nor to make it merely first among all. It is not to Unitarianize or rationalize evangelical Christianity. It is not to affirm Arminianism, nor to destroy the doctrine of justification by faith, nor to bring into disrepute the standards of any church, and least of all those of the Presbyterian Church. But the aim is, holding fast to the great fundamental ideas of religion, including those which are commonly called Calvinistic, and because they hold to them, to bring moral ideas into greater distinctness, and to subsidize, as the Lord promised he would subsidize, everything in the world to his kingdom and glory.

Prof. Swing is not a rigid Presbyterian. He is, however, evangelical in his doctrine, and sufficiently Presbyterian in polity. He would not thank any of us to represent him as a denominationalist, or a high Calvinist. His modes of expression are his own. His doctrine, as I think, is within the limits of our standards. He is, unless we are greatly deceived, which I will not for a moment allow, an earnest minister of the New Testament, a *sui generis* and able preacher of the gospel, delivering more men from the skepticism and unbelief of the times than any minister in this Presbytery. Have we not room enough for him in our standards, interpreted by the deliverances and usages of the Church, as well as room for him in our hearts? The past warrants us in not requiring the *ipsissima verba* of the standards. The Auburn Declaration is a monument of revolt against rigid construction, successful and acknowledged, and like all such revolts changes the character of the document which it neither repeals nor supersedes. I have not time to review the Confession of Faith in its relation to the vast stores of the New Testament. One may assent to, and strongly affirm and defend, the system of doctrine contained in our standards, and not think for a moment of restricting his theology to the limits of these venerable symbols. God's order of things is not so poor—the Presbyterian Church is not so poor as some theologians dream. I affirm the confession of faith to be the mere alphabet, the letter-skeleton of a true and comprehensive theology, and that, true as that confession of faith itself is, it misleads uneducated minds where it is propounded as the *sum* of religious doctrine, or as a *complete* exponent of the kingdom of heaven. It is the truth of a grain of sand on a vast continent of thought.

Passing by much that ought to be said, and that I would like to say, were there not so many to speak after me, I bring my remarks to a close with a single word.

Professor Swing has lived among us for many years. We know his abundant works, his strict honesty and the place he holds in the hearts of a great company of believers in all our churches. We have no fault to find with him, only such as we find with each other in the ministration of the word of life. A stranger comes in here, and for reasons that are largely partizan, invites us to denounce him as a heretic, or to send him back to his pulpit as a trickster with words, a venal and pitiable trifler with divine revelation and the

spiritual welfare of his people, or load him with some more mild and meaner damnation. I will not trust myself to fix the epithets upon this whole transaction, which justice, moderated even by manifold considerations, might require. There seems, to some, to be moral heroism in this prosecution. As I have intimated, I do not regard it in that light. We shall acquit Prof. Swing, and the torch which theological fanaticism has flung into the Ephesian dome will need to be kindled again before the temple is in flames.

At this point, the Presbytery took a recess until 2 o'clock P. M.

---

2 O'CLOCK P. M.

Rev. R. K. Wharton asked and obtained leave of absence in order to attend the funeral of one of the elders of his church. He was allowed to deposit his sealed vote on the charges and specifications with the Stated Clerk, to be recorded when his name shall be called on the roll.

The expression of opinion was continued as follows:

OPINION OF REV. W. C. YOUNG.

Mr. Moderator, I feel that we are all to-day, even the humblest among us, making history here. I feel that we are furnishing material here for a page in that great volume which chronicles the life and the history, the weaknesses and the heroism of that grand branch of God's kingdom to which we belong. I can conceive of no circumstances more impressive, more weighty and more responsible than those which surround this Presbytery at this time. There is not one single element, that I can conceive of, that is wanting to heighten its impressiveness and its solemnity. The case before us is the trial of a brother Presbyter. We are, as the prosecutor well said in the beginning, we are here members of a common family, impannelled to sit in judgment upon one of the best loved and most honored members of this family. We are conscious that the gaze—the watchful, prayerful gaze—of our whole Church in this land and of multitudes outside of the borders of our Church—is fixed in suspense upon our proceedings. We have listened to the threat, or rather the warnning, with which a gentleman closed yesterday afternoon with regard to the division and disintegration, and splitting to pieces again, of this great Presbyterial family. We know that for our proceedings this day we are to give answer at the bar of an enlightened, Christian public opinion, and above all, we are to answer at the bar of the common Master of us all.

I can truly say, sir, that I have never come forward to the performance of any duty, in my whole life, with a more solemn sense of my responsibility to God, with a more anxious and a more troubled soul, with a more earnest desire, upon the one hand, of doing full justice, and extending the broadest charity to my brother, who is accused; yet on the other, with the desire of maintaining my fealty to my ordination vow, and of doing that which will meet the approval of my Master above.

I tried, sir—God knows sincerely—in the beginning of these proceedings to lay aside every preconceived opinion, every doubt, every judgment that I might have formed with regard to this case. I know that throughout these whole proceedings, I have given it the most attentive and the most earnest consideration; that my hope has been day after day, and hour after hour, that I might hear something, that I might obtain some light that would serve to remove the doubts, and to change the judgment which a study of the evidence that is printed in this case had raised, and had formed in my mind. It is with the profoundest sorrow that I say, in the presence of you, my brethren, that that hope has not been realized; and that, as I expect to answer to God and my conscience, with my best convictions of duty on this subject, I am constrained to say, that the preached and published utterances of Prof. Swing, in my judgment, have not been consistent with his position as a minister in the Presbyterian church, or in accord with the doctrines of that church, as they are formulated and have been adopted in our Confession of Faith.

Now I wish to add one word upon a subject that has been discussed at great length before this body already, and that is, in regard to the standard by which we are to form our judgment upon this subject. And I beg leave humbly, and yet very positively, to enter my dissent from the view that was expressed by an honored and venerable brother Presbyter on yesterday afternoon, which was in substance and effect that the platform, upon which these two branches

of our church came together, is broad enough, and long enough for Prof. Swing, with his public utterances, consistently to stand upon.

Now I wish to read a single line, or a line and a half, from the plea that was entered before this Presbytery by the respondent in this case, and I ask this Presbytery if, in their judgment, the platform adopted as the basis of our Reunion is broad enough and long enough to cover such views as these. "I have, therefore, at many times declared our denomination to be simply a church of the common evangelical doctrines." It was my good or bad fortune, Mr. Moderator, to belong, when I entered the ministry, to a synod that was one of the last to give in its adhesion to the basis of reunion. One of the members—the most prominent member of that synod, was Dr. Robert Breckenridge—a man, as we all know, of the strongest prejudices against the New School Church, who had probably done as much as any man in the church to produce the division of 1838. Upon the floor of the Presbytery, and in synod, and in the General Assembly; I heard him argue and declaim and exhort against this Reunion; and in doing so, he presented—as he among few had the power of doing—what he considered the defections aud short-comings of the New School branch of the Church. And yet, never did I hear him in all his utterances, while opposing the union of the two branches of the Church, which he deemed so fraught with evil and disaster, proclaim, or assert that the New School Branch of the Church would be willing to accept, as a fair exponent of their views, a man who stated that it was simply a church of the common evangelical doctrines. That is an implied statement, and it is an asserted statement that our church goes nothing beyond; that it holds nothing further; that its ministers are not required to hold anything further than just the common evangelical doctrines of the general Christian Churches.

Now, one word with regard to the reasons for my vote, so far as they have not been given in what I have already said. There are two questions, it seems to me, that are presented to us in these charges, and one of them is, so to speak, a matter of fact, and the other, a matter of opinion. The first charge concerns the published utterances—the import of the character of the published utterances of the accused; and I am constrained to say, that with as careful and earnest study as I have been able to give them, they are not, to my mind, in keeping with the doctrines of the Presbyterian church, and that the fair impression, gathered from many of those utterances, is not only in the face of the doctrines of the Presbyterian church, but to my view, they come in conflict with the common evangelical doctrines, as they are held by all of the evangelical churches.

Now, with regard to the second charge, I do not believe, as was charged in the paper read on yesterday afternoon, that there is no method of voting for this second charge without impugning the veracity of Professor Swing. I wish it to be expressly understood that I do not impugn his veracity, but I do impugn his opinion and judgment. He says, in this plea, that he is a Presbyterian—a New School Presbyterian—and then he goes on to say what he believes that to be, in the statement I have just read—that is, that our church—the New School Presbyterian theology, to which he has just given his adhesion—is simply a church of the common evangelical doctrine. It seems to me that that statement qualifies the statement he has before made, and that he makes just after; and therefore, I can consistently, it appears to me, vote to sustain the second Charge; not as impugning his veracity, or his honesty, but that his own statements in this plea are contradictory, the one of the other. In the one of these statements the respondent, according to my view, discards the whole system peculiar to the Presbyterian church, as it is incorporated and formulated in our Confession of Faith.

OPINION OF REV. A. H. DEAN.

I have only one point, or two points, Mr. Moderator, which I wish to speak of, in explaining my vote. The first is that, in voting not to sustain the charge of unfaithfulness, or of not sincerely receiving the Confession of Faith, by so doing I do not commend Prof. Swing's peculiar course, or tread in the same steps. I wish he were more pronounced. Let that suffice for my explanation of that part of it. For the second, I cannot tear each specification apart from its charge. I shall vote for each specification as it bears upon the charge under which it is placed. The rest of my time I put at the disposal of Elder Barber.

OPINION OF REV. J. M. FARIS.

I hesitate to speak in this case, although I suppose I might feel it my duty to do so. I hesitate, chiefly because I do not wish to consume the time of the Presbytery. It would be wiser for me to give my time to some brother who will come after. But as you have called my name, and I have a reason to present, I will improve the opportunity.

I must say that, after hearing patiently every word of the evidence, and every word, save about ten minutes, of the pleading on both sides—every word of the pleadings, indeed—my mind is fully made up that the charges are sustained. My views on the several specifications will be developed as they are called. I may, and I may not, vote "sustained" to all of them, according to the light that will be thrown upon them.

Now, while I am uttering myself as to the opinion I have formed, allow me to express my regrets that the issue between the New and the Old School, as they once were, has been lugged in, and to say that it was unfortunate and unkind to lug it in. It was protested against by the prosecutor. If, then, it is persistently placed before this Court, and placed before the outside world and the Church at large, as an issue involved here, let the blame rest where it belongs. I do not vote upon any question that was at issue between the New and Old Schools. I confess I was an Old School man, and always hope to be so; but that has nothing to do with this. The simple question here is this: has the accused person been decided in fulfilling his engagement according to the Confession of Faith and the Word of God? Now, when you come to scrutinize the Word of God in various parts of it—not as much as you can crowd or spread upon half a page of note paper, as was alleged yesterday, but as much as you can crowd into a page of foolscap—you will find more severity and more terrific terms than you can find in ten confessions of this kind. Let any man take the IX chapter of Romans, and the various utterances of our Lord himself, and tell me if it is presumption in a preacher to talk about perdition, damnation, and hell, when he talks in accordance with the utterances of the Bible. Keep away from the Old Testament, if you will, and confine yourself to the New Testament; severity, terror, and love of God are the motives. The blessed Apostle does not say all Christians are constrained by the love of Christ, but he says, in regard to the unconverted: "Knowing, therefore, the terror of the Lord, we persuade men." It is pre-eminently scriptural to use terrific suggestions in endeavoring to win souls to Christ.

Another suggestion: it was alleged yesterday, that the reason for the peculiar type of these sermons in McVicker's theatre was that they were addressed to a peculiar class of people. Mr. Moderator, I want to know whether any man has a right to go outside of his commission—as Wellington once said of a captious preacher—for anybody?

Another question: does a departure from a man's commission succeed in winning souls to Christ? No. Does it not confirm them in their contempt for religion?

That is all I have to say. Any balance of my time, I will give to Brother Ely.

OPINION OF REV. DR. W. M. BLACKBURN.

Mr. Moderator:—What little I have to say, I will put in as few words as possible.

The main question, sir, is: have the Charges preferred against the Rev. David Swing been proven? The question is not whether we sustain or endorse the whole course of the accused; it is not as to what Prof. Swing may yet become, or may yet believe; or whither he may yet drift—if he drift at all. It is not whether our standards teach, or do not teach, infant damnation. It is not whether there is a difference between historic and actual Presbyterianism. It is not—who are and how many—a man's friends may be after he has voted in this case. It is not, what will happen to the Church, whatever the issue of this case may be. It is nothing else than this: have the Charges been proven?

Now, in forming my judgment, I have endeavored to leave out of view the two brethren most interested in the case, both of whom I honor and love, and hope to, so long as they are good christian brethren, and toward one of whom my relations are peculiarly personal and fraternal, as being a colleague with him in theological instruction. And God knows there is no personal feeling in this matter between us.

Now, sir, my conclusions do not impair my confidence in these brethren in the least, and I have no side about it, one way or the other. In judging whether the facts prove

the charges, I have been guided by the following general principles:

1st.—The defendant is presumed to be an orthodox Presbyterian minister until he is proven guilty by the evidence adduced in this Court, but he is not proven guilty by the argument and the premises of the prosecutor, however able and eloquent they may have been. It is nothing to me, sir, for any one to assert on this floor that he knows Prof. Swing is not a Presbyterian. I have just as good a right to assert that I know he *is* a good Presbyterian, because he says so. And, sir, I am driven either to assume in this trial that he is such a Presbyterian, or that he is the most consummate liar that ever walked the streets of Chicago—and I cannot do that; I cannot take the latter position. What? He honest in the statement, and yet utterly inconsistent! He is not a fool, and he is not a demagogue, I trust; and if the charge be that he is a liar, let us have the charge distinctly set before us.

II. The prosecutor must prove his case by facts in evidence, and not by his own assumptions, inferences and interpretations. The defendant is bound to produce only rebutting testimony, and only so much of that as he may deem necessary. The fact that he does not produce a greater quantity of testimony, or a different quality of evidence, such as the prosecutor may demand, offers no just presumption that he is not able to produce it if he desires.

III. Two inquiries arise. One is: Has the prosecutor proven his charges, even were there no evidence at all on the part of the defendant? And the other is: If he seem to have proven these charges, has the defendant successfully rebutted the allegations?

Now, I have tried to look at this subject from both of these points of view. I have carefully weighed all the testimony, and have studiously read the published sermons put in evidence. I have collated the passages on the doctrines in controversy, and have noted them in polyglot form—thoughI do not intend to edit a new edition. In judging the documentary evidence, I have kept in mind the following points and principles: The oral testimony, taken altogether, and for its value, whatever it is, supports the assumption that Prof. Swing is a Presbyterian, evangelical minister. He is what he says he is. His own plea supports that same assumption; and the law of Christ and the law of the Church oblige me to put a just interpretation upon quotations in which errors are alleged, and upon errors which may seem to be proven. Our Lord was charged with having said, "Destroy this temple, and in three days I will build it again." Now, sir, there was a sense in which that specification was a fact. As a mere literal specification, it was true—he had said it. We know, sir, that the interpretation to the point upon His words made them clear enough. He had never made any such threat.

Now, sir, look at the decisions in the Craighead case. This case has been referred to, and it will be a very important case for all time, I have no doubt. I must read one or two passages here, because they have had a great deal of influence upon my mind:

"Here it will be important to remark that a man cannot be fairly convicted of heresy for using expressions which may be so interpreted as to involve heretical doctrines, if they may also admit of a more favorable construction; because no one can tell in what sense the minister has used it, &c. And in such cases candor requires that a court should favor the accused." How remarkable! "Should favor the accused by putting on his works the more favorable rather than the less favorable construction. Another principle is that no man can rightfully be convicted of heresy by inference or implication; that is, we must not charge an accused person with holding those consequences which may legitimately"—not illegitimately, but "legitimately flow from his assertions."

And again, in reference to vilifying, denying and misrepresenting doctrines, where a man has misrepresented the doctrine of Divine foreordination and sovereignty and election. "It might, perhaps, be shown by argument that Mr. Craighead uses many expressions not consistent with these, but agreeably to the principle laid down above, he must not be charged with holding these consequences unless he has avowed them. These passages of his discourse, it is true, contain erroneous and offensive things, but they do not establish the charge of denying, vilifying, etc." "But whilst the General Assembly are of the opinion that the charges against Mr. Craighead are not clearly and fully supported by the references, they feel

it to be their duty to say that the impression which they have received from hearing extracts from this discourse, are very unfavorable; and they do believe that Mr. Craighead by preaching and printing this sermon did subject himself justly to censure."

And it is said, "Moreover, the Assembly are of opinion that the doctrines of this sermon in the most favorable construction, are different from those of the Reformed Churches and of our Church, and are erroneous; although the error is not of fundamental importance. They have observed, also, that this discourse contains many unjust and illiberal reflections on the doctrine which has been the common and uniform belief of the great majority of the preachers and writers of the reformed Churches."

Now, sir, I cannot stop to explain, but this will be so clear that it will hardly need any explanation, as to faith being an act of the mind. Are we always to say that faith is the gift of God in everything? "In respect to the fourth charge"—this is the Barnes case, page 310 in the O. S. Digest.

"In respect to the fourth charge, that faith is an act of the mind, Mr. Barnes does teach it in accordance with the Confession of Faith and the Bible; but he does not deny that faith is a fruit of the special influence of the Spirit, and a permanent holy habit of mind, in opposition to a created essence."

Now, how do you know Prof. Swing may not mean that very thing? It has not been shown that he does not. "That faith is counted for righteousness, is the language of the Bible, and as used by Mr. Barnes means, not that faith is the meritorious ground of justification, but only the instrument by which the benefit of Christ's righteousness is appropriated."

And then again, "In respect to the eighth charge, that Christ did not suffer the penalty of the law, as the vicarious substitute of his people, Mr. Barnes only denies the literal infliction of the whole curse, as including remorse of conscience and eternal death; but admits and teaches, that the sufferings of Christ, owing to the union of the divine and human nature in the person of the Mediator, were a full equivalent.

"In respect to the ninth charge, that the righteousness of Christ is not imputed to his people, Mr. Barnes teaches the imputation of the righteousness of Christ, but not as importing a transfer of Christ's personal righteousness to believers, which is not the doctrine of our church.

"In respect to the tenth charge, Mr. Barnes has not taught that justification consists in pardon only; but has taught clearly that it includes the reception of believers into favor, and their treatment as if they had not sinned."

I think these rules will apply to this case. Also, in judging this case, I consider the terms of Reunion, and the Auburn Declaration. I submit that the Auburn Declaration does cover certain doctrines and interpretations of doctrines here in dispute. According to the interpretations given by the prosecutor, you will find that the very things in reference to justification and in reference to faith, are covered by the Auburn Declaration.

A general principle of law also is, that extracts from a man's writings must be so fairly and fully taken as to represent the writer correctly; for example, certain words taken from "Truths for To-Day," page 78. Now, I dislike very much to refer to this, but I cannot help it. I just want to show how this quotation has been made. I call the attention of the court to it. This is the extract: "The Trinity, as formally stated, cannot be experienced. Man has not the power to taste the threeness of one, nor the oneness of three, and see that it is good. Man cannot do His will here, and 'know of the doctrine whether it be from God.' It is not conceivable that any one will pretend to have experienced three persons as being one person, the same in substance, and at the same time equal."

Now, sir, has the prosecutor honestly quoted from this in the charges? and has it been quoted anywhere in trying to sustain these charges? "This doctrine." What doctrine? The doctrine of the Trinity, is it not? "This doctrine, therefore, belongs to a simple *religion of fact*, and not to one of experience; and hence the distance between a fact and a perpetual law. But, while human experience cannot approach the Trinity, it can approach the divineness of Christ."

I have not time, sir, to show what line of thought is being pursued here. Attention has already been called to this, where, by a comparison—in order to reach a comparative value of truth, he is trying to show that the three offices are made more prominent than the idea that the three persons are one God.

That is not controverting the theory that they are one God. Some truth alleged to be omitted, may be assumed in a passage quoted, or from an entire sermon from which a quotation is made. Look at the sermon, page 246. See what is assumed here: "As the idea of decrees does not originate in Christianity, but falls into it from the human mind, which always must think that God has decreed all things, and as the difficulty of free will finds it origin not in the Bible," and so on. I am not afraid to read the rest, but I simply want to show that the doctrine of decrees underlies all these statements. So I take it, from the sermon on Faith, which I am now reading, the whole doctrine of faith is assumed. He goes on to say: "The legal salvation may be a preliminary or a concomitant," and so on. I think you will find the doctrine of faith, or justification by faith is assumed here. I think it will be proper to say that very few of us would put the matter just as he does.

Look at the sermon on "Salvation and Morality;" and see how it is assumed here: "There is no conflict, perhaps, between Paul and the Saviour. I use the word 'perhaps' only as a further confession of the impossibility of determining with scientific exactness, the whole of Paul's thought on the one hand, and the whole of the Saviour's thought on the other. Assuming inspiration, there of course is no conflict. But not thus begging the question and appealing to rationalism, there seems no discord in the two strains of music. Paul unfolds salvation from without. He tells what is necessary outside of man. Hence, Calvary, and law, and imputation, and satisfaction come upon his horizon at all hours. There the Jewish altar is transformed into a cross. The first Adam and the second Adam meet. The past sins of humanity are gathered up mountain high, and a price is to be paid for them, paid in blood and death." If I heard that from Professor Swing, I would know it was orthodox!

Rev. Mr. Walker.—You mean Professor Patton.

Rev. Dr. Blackburn.—No, sir, I know whom I mean. I mean Professor Swing. Here is another principle; a passage alleged to be erroneous may be explained by another passage manifestly orthodox, or by the statement of the accused that he holds the doctrines in question in an evangelical sense.

Now, I believe it has been admitted that there are passages in this book—and I suppose a wonderful number of them—that are evangelical. One good brother read this book some time ago, and thought there was nothing you could find in it on which to convict a man of heresy. I would not like to give that brother's opinion to-day.

The inquiry is, does the accused explain himself? I think it is a very proper inquiry. It is assumed in the Craighead case that such will be the rule. Now, we may apply to his sermons that grand law so necessary in the interpretation of the Divine Word—the analogy of the Scripture. Let us apply that to any man's sermons as well as to those of Prof. Swing. Why, we would find it mighty hard sailing to go through the Bible if it were not for that rule of interpretation—and I believe in the plenary inspiration of the Scriptures. I believe every man should state his faith as he goes along. No rule of interpretation should be applied to the sermons which could not be safely applied to the Holy Scriptures, and which we would not be willing to have applied to any sermons, or to any theological writings.

Let us take the First Epistle of John and judge of it by what is not in it, and I imagine you will throw away some of these cardinal doctrines of the Bible because they are not expressed just as some of you would like to have them expressed, and not only have to judge that epistle by some things that are in it, but by some things that are not in it. "Whosoever is born of God does not commit sin. He cannot sin because he is born of God." Take that by itself. I do not judge the book in that way. I do not apply a rule of interpretation to any man's sermons that I am not willing to have applied to every apostle or prophet who ever spoke or wrote.

Again, constructive heresy is not actionable heresy. I need not enlarge upon that, surely.

If a man comes to us and we know that he preaches the Bible, would we not receive him as a minister in our church? If he should say: "I am not fond of formulated doctrines, and I can't say that I take everything in your Confession of Faith just as it is put there, but I hold the system"—and yet if he believed his Bible, and loved it, and understood it, and preached it, wouldn't we take him into our church?

Well, sir, I am astonished, then, to hear that while we would not receive into our church a thoroughly Bible preacher, we would only ask him to be a Presbyterian. We thus unchurch thousands of men; and, sir, our Divine Master would not be received into the Presbytery of Chicago to-day, I am afraid, if he stood upon the position upon which he stood when he came into the world, for I do not understand Him to have ever said one single word about Presbyterianism, strict and formulated. Another principle. No individual in our church is the authoritative interpreter of the Confession of Faith. The standards must be taken just as they are, and if there be a difference in the interpretation, the benefit of the doubt goes to the accused. Now, I think there is a great liberty in our Presbyterianism. There is no man in this Presbytery authorized to interpret the Confession of Faith. No man can authoritatively interpret the Confession of Faith where it is doubtful. Can the General Assembly? It cannot give an opinion on that subject because we are not before the General Assembly. The standards must be taken as they are.

Here is another principle: a statement of unpleasant facts, historical or moral, is not criminal or heretical. It does not prove unfaithfulness. It may prove faithfulness in maintaining the truths of the Gospel, as in the case of our Lord, Luke xi, 42: 48: xiii, 34. Now take the same thing and apply it to specification 4, charge 1. It may be very unpleasant to have men tell us that it does not sound as we would like it, to be perfectly comfortable, but I am afraid there is an immense amount of historic truth in it. "Over the idea that two and two make four, no blood has been shed; but over the insinuation that three may be one or one three, there has often been a demand for external influence to brace up for the work the frail logical faculty."

And somewhere else he speaks about the wars. Do we not know about the Arian war? I do not say it is proper to announce them in sermons, but they may be simply an enunciation of facts. I am sometimes very glad that people of this world, and in the church, do not know all the facts in church history.

Now, even irony may be too true and just. Of the propriety of using it in sermons I now give no opinion. The irony and ridicule imputed to certain extracts in these charges may not be so much in the text itself as in the construction of the text. His people may not have understood him to be so ironical, but after we have read them over and over and determined to make them irony, it is easy to make them irony. It is a maxim that ridicule is not the test of truth; and is it not just as true that it is not the index of error?

Now, are we left to the principle of charitable construction in judging of these sermons? I think not; for we are aided by the testimony of the elders of the Fourth Church who believe that he has preached evangelical doctrines at all times; and we cannot come forward and question these men—and I would not be willing to think, as I believe it has been asserted on this floor, that whatever these men may say about understanding him to preach in the evangelical sense, it cannot be believed. And also the passages adduced which were plainly evangelical, and admitted to be so, a just construction of these requires that an evangelical sense be given to a number of them, and at least enough to furnish a basis upon which to judge the rest. The doubtful passages—and I do not assume for a moment that there are not doubtful passages in these sermons—there are doubtful passages in almost every writing I have had laid before me; I may say that I examined one passage of Scripture in which I counted eighty-two different interpretations of it;—the doubtful passages require charity, and the plain passages, simple justice.

Gospel truths may be preached without the use of strictly scriptural phrases. The Gospel is not technical in its terms. Prof. Swing was not ordained by his Presbytery to preach Presbyterianism in technical or scientific language, but to maintain the truths of the gospel—it is wonderful how simple it is—and to maintain these not only in the pulpit but in the lecture room and everywhere.

Now, the relevant testimony that he has taught these things in his oral lectures has not been controverted with success, and the charge that he has failed to teach them in his published sermons has not been proven. It is admitted that certain passages are evangelical if taken in their plain sense. It is charged that others are as evidently heretical. Now, does the accused intend dangerous

error in all these? Does he intend both truth and error in them? If so, in each case he should be charged with hypocrisy and willful deception, but if not, the truths asserted may neutralize the errors alleged; and, sir, we are bound to put the most charitable construction upon sentences which even may be called in question.

These statements, which do not fully cover the ground, offer the reasons for my deliberate opinion that the charges are not proven. As to the most serious of the specifications, my opinion will be indicated sufficiently by my vote upon them at the proper time, except I will say that the specifications appear so drawn that while a specification may be a fact, yet it is not a fault, and cannot be sustained in its place in its relation to the charges and in the evident intention of the prosecutor.

Now, truth requires love as well as justice, and if I have erred in the effort to be just to the truth and to consult the doctrinal soundness and peace, and purity of the church, my error may appear on the side of charity toward one brother, and I am sure that my other beloved brother will respect my conscientious opinion.

And, Mr. Moderator, as to the results of this trial to any one of us, they are not to be counted by a conscientious man. "Let us do right though the heavens fall,"—and the heavens will not fall if we do right—not upon us, at least; and as to any fear of rending in twain the Presbyterian Church, for whose Reunion I did what I could, and I am proud to have done it, that will never come if we are honest towards each other, and are faithful in maintaining the truths of the gospel.

OPINION OF REV. NEWTON BARRETT.

What I will have to say, sir, will be of so little weight, and the ground has been so covered, that I confine myself to two or three points. When I come to vote I ask myself first the question propounded by Dr. Halsey: Is this a criminal prosecution? I know no prosecutions in the Presbyterian Church that are not criminal and in a criminal form; there are no civil prosecutions in the Presbyterian Church; we are trying offenses, and offenses are crimes. The rules of criminal trials, therefore, prevail in this case. My second inquiry is: What is the real charge? The real charge is heretical preaching. The virtual charge is disbelief in some things and unfaithfulness in some things. My next inquiry is, whether nominal charges are actionable. My opinion is that a want of belief is not an indictable offense. It cannot be made indictable anyhow, or any way. He does not believe—it is not an indictable offense, in my judgment, and I must say so. The next inquiry is, as to the unfaithfulness. He is unfaithful. That is another charge. Unfaithfulness is so vague a charge as not to be an indictable offense. My next inquiry is, Do the specifications prove the charges as they stand? If they do prove those charges, I have already said that the charges themselves are not, in my judgment, actionable and indictable. There recurs this further consideration: the specifications may prove more than the charges. The prosecutor has himself told us that if the specifications do not sustain the charges, though the facts proved in the specifications may be true, we may yet vote against the sustaining of the charges by the specifications.

There are some of the specifications the facts of which are proved satisfactorily to my mind. I will not indicate them here; but although proved, they do not prove such a degree of unfaithfulness that I can vote to sustain the charge.

The specifications do not begin to come near supporting the charges of unbelief. They are abandoned pretty much.

There is this further consideration: A specification may—and this touches the point I first raised—a specification may prove more than the charge, and then if, for example, the specification proves a prevarication and falsehood, can I on that specification condemn the brother when the thing alleged on the general charge is less than the specification? I think I cannot. The specifications may prove things for which the brother is indictable, and yet the charges may excuse me, because of their narrowness and their limitations, from including them in my vote to sustain, or not sustain. The charge may preclude me from maintaining the guilt of the brother under the specification. I can only vote for so much as is sufficient to sustain the charge. I think of nothing else that may come into my verdict, and I shall give my vote when the time comes for giving it.

OPINION OF REV. WALTER FORSYTH.

MR. MODERATOR: However it may be in the ultimate decision of the case, certainly we must all admit that the prosecutor has displayed ability in the management and argument of it. On the other hand, I feel that it must ever be a cause for regret, no matter whether this be deemed a private or public offense, that before the prosecutor published his "doubts," and preferred his charges, that he did not consult with some of the older and prominent members of the Presbytery in regard to this whole matter. It is very important that all private means should have been used before public steps were resorted to, when we consider the grave issues and possible consequences of this trial.

We have been told by the prosecutor, repeatedly, to leave out of view all personal considerations, as regards the prosecutor and accused, when we consider the merits of this case. I am certain, as regards myself and many other members of this Presbytery, that if the prosecutor were in the place of the accused, and the accused in the position of the prosecutor—the evidence being the same—the final decision would be substantially the same. The principles and facts involved, and not personal considerations, will shape the final judgment.

As regards Prof. Swing: that he is at times seemingly vague and indefinite in his statements, we admit. This arises, we think, from his idiosyncracy, or peculiar structure of mind. He also at times uses seemingly unhappy or unguarded forms of expression; but that he disbelieves, or does not teach the evangelical doctrines of religion, we cannot admit from the evidence before us. Prof. Halsey, in his remarks this morning, endeavored to show that Prof. Swing depreciated and made light of Christian doctrine. One of the strongest passages that I ever read in any volume of sermons, in defense of the importance of Christian doctrine, may be found in "Truths for To-day," p. 73, in which Prof. Swing speaks thus: "We conclude otherwise, and submit the proposition that no man can preach Christianity without being a doctrinal preacher, and no man can acquire a Christian or religious heart, except by the obedience of doctrine. Doctrine sustains the same relation to Christian character and hope that mechanical law sustains to the cathedral of St. Paul, or that the law of sound sustains to the church chimes, or the music of the many-voiced organ. The attempt to separate Christianity, in any way, from its own announced doctrines is as pitiable a weakness, as it would be to invite engineers to bridge a vast river by emotional action wholly separate from any creed of mechanics. Having reached the inference that Christianity is founded upon doctrine, that doctrines are its state laws, and that all preachers must be doctrinal preachers, and all Christians doctrinal Christians, let us look now into the quality of these doctrines which all must teach and obey."

Professor Swing does not contend against Christian doctrine—a right use of doctrine—but against a spirit of dogmatism, against a narrow bigoted abuse of doctrine.

Again, Professor Swing is charged with teaching Sabellianism as regards the persons of the Trinity, and Unitarianism as regards the deity of Christ. Let me quote from "Truths for To- Day," page 81, on these two points: "* * * and if the three offices of God, as Father, and Redeemer, and Spirit, are more prominent than the idea that these persons are one God * * * "

This is one of the most explicit and concise statements, of the Deity and Personality of the persons of the Trinity that can be found anywhere outside the definition of the Trinity in the "Shorter Catechism." Professor Swing here speaks of the three offices of God, as Father, Redeemer, and Spirit. He does not say three appearances, or manifestations, but offices—that is, ministries, or services. In speaking of God as Father, God as Redeemer, God as the Spirit, he distinctly recognizes the Deity of the Father, the Deity of the Son, and the Deity of the Spirit. In the succeeding clauses, "these three persons are one God," he distinctly recognizes the personality of the Father, the personality of the Son, and the personality of the Spirit. This quotation, with the context, does not teach Sabellianism and Unitarianism; but it teaches the Deity and Personality of the Father, and of the Son, and of the Holy Spirit.

Again the prosecutor repeatedly emphasized that part of his argument, in which, referring to the specifications of the first charge, he claimed that he had proved that Prof. Swing had *not taught* the evangelical doctrines of religion, and that, assuming Prof. Swing to be an *honest* man, he had

taught what he did believe; therefore, we must conclude that he does not believe these doctrines, since he has not taught them; and therefore, Prof. Swing is not only guilty of the first charge but also of the second. Now we do not admit that Prof. Swing has *not* taught the evangelical doctrines, we think the evidence shows the contrary. Prof. Swing, in his plea, expresses his belief in these doctrines—namely, "The Inspiration of the Holy Scriptures, the Trinity, the Divinity of Christ, the office of Christ as a Mediator when grasped by an obedient faith, conversion by God's Spirit, man's natural sinfulness, and the final separation of the righteous and the wicked." Prof. Swing claims to believe these doctrines in their evangelical sense. Now, since he believes them, the contrary not being proven, and assuming him to be an honest man, he *must have* taught them during his ministry. The prosecutor's own argument used in an opposite direction instead of showing Prof. Swing guilty of both charges, shows that he is not guilty of *either* the second, or the first.

Again, Prof. Swing is charged with denying the inspiration of certain parts of Scripture. In his plea he declares his belief in the doctrine of Inspiration, in the evangelical sense of the term; he, therefore, believes in the inspiration of the entire Word of God. Expressions of his with reference to one or two points in the Old Testament, and the Apocalypse in the New, are quoted to prove the contrary. We think these points in dispute are questions of interpretation, and not of inspiration. For example, Prof. Swing believes the book of the Revelation to be a series of purely subjective visions, and not of objective prophecies to be fulfilled in the future. We all know there have been numberless different theories of interpretation of this book, and whilst we believe Prof. Swing's theory to be wrong, not according with the subject-matter of the book, yet we do not understand him to impugn the inspiration of the book. He is wrong as to its interpretation, but does not deny its inspiration.

OPINION OF REV. W. F. WOOD.

MR. MODERATOR: It is hardly necessary for the younger members of the court to go over a course that has been so fully gone over by the older heads, who have made these subjects studies for years; but I would impress upon us all, if it needs to be impressed upon us, the words that my brother Young has previously used, in reference to our relations to the future world, as we sit in judgment on this case. We all know how difficult it is to judge of these things, without suffering personalities to come in; we know that we are human; that the person will manifest and assert itself; and so there is all the more need for us to observe this rule. I feel it, in my case, and I trust others have felt it. I believe they do feel the necessity of striving to meet our responsibility to God rather than to man. We may talk of charity, we may talk of liberty; we may be zealous in striving to stand up for a man—for one who may be a brother, bound to us by ties of affection and kindred; still there is One that sticketh closer than a brother; there is One to whom our allegiance is due, more than to any man on earth. And so I feel that we need carefully and prayerfully to sit in judgment upon this matter. It is not necessary, as I have said, to go over the points, and I do not propose to do so; but I feel like impressing this point, to convince the world that we as Presbyters have decided this thing, free from merely personal prejudice. I have to stand where I have to cast my vote, contrary to the teachings of one of my professors, and that same professor my pastor in the East; but there is no personality. I have sat under his teachings in the pulpit, and under his teaching in the professor's chair, but I cannot see it as he sees it. It does not follow that there must be personality between us. The prosecutor is comparatively a stranger to me. I had my impressions, and I had my doubts and questions, before I knew there was any such a man as Professor Patton in existence. When a student in the Seminary, I received my impressions, as did also other students who had heard Professor Swing's preaching. I received my impressions from the writings of Professor Swing, also; so that these doubts existed in my mind, long before they were expressed in the *Interior;* and so I may say truly, except so far as the argument of the prosecutor may have added weight—and they have not served me in this view—though I go against my old professor, and pastor for three years—so, I say, we may all strive to put out of our hearts personalities, and look at this matter as the pure naked truth, as we shall answer for it at the Last

Day. We have come to this case, not as many think, simply through the instigation of the prosecutor. I am convinced that many in this community, think it has been simply the prosecutor who has stirred up this thing. I have heard it said that there is a young man who has come out here, and striven to lift himself before the eyes of the people simply by striving to pull down another. But those who sat in Synod last fall will remember the action that was proposed to be taken then when it was proposed to cite this Presbytery before Synod to show reason why steps were not taken to arraign Prof. Swing for heresy. The community at large may not take the Church papers, but this they do know—since it has been discussed all over the country—discussed before the prosecutor touched it—that it is not done through any persecution, as has been intimated. Because we differ in opinion, cannot two of us sit in judgment upon one another without the idea that it is persecution, or that we must burn or hang? It seems to me strange, in this enlightened age, this age of liberality, that there should be so little of it. All the time the prosecutor stands here, he stands here simply with the thought and feeling that he is doing God's service. It may turn out in the future years, and in the judgment day, that like Paul he was mistaken. And yet I think not; and I think in this age of liberality, the Presbyterian Church—as that church which for years, for centuries has stood especially as the representative of the truths of God—that Presbyterian Church ought to take heed now before she opens the gate wider to this liberality of opinion. We have as much liberality as is consistent with the truth of God, I think, already. We have our standards which have stood the test of years, and I, for one, feel like standing upon them still. I know nothing, I may say, in a sense of New and Old School. Those things came before I was old enough to know anything about them, and I have avoided the subject of the distinctions between them, because I do not want to know those distinctions; I do not know many of the peculiar shades, and I do not want to know them. In that respect I stand unprejudiced. But whatever school you may call it, I am ready to take my stand upon the Westminster Confession, and I expect to stand there for many a day to come; and I do not consider this as bigotry. I consider, when I study carefully the fine print at the bottom of the Confession of Faith, that that Confession is right. We are all well enough acquainted with it to know that that fine print consists of extracts from the Scriptures.

OPINION OF REV. E. R. DAVIS.

MR. MODERATOR AND BRETHREN: I feel that I am ready to vote, as I understand the evidence and the law in this case, so that I can vote intelligently; and I believe that the Eldership should be heard, and I would like to give my time to Brother Barber, as representing the Eldership, as they have not been heard at all in this case.

OPINION OF REV. DR. E. L. HURD.

MR. MODERATOR: Although it is utterly impossible to give an opinion on so important a case in five minutes, I desire to refer simply to two things in the Confession of Faith and the Form of Government, which have an important bearing in my own mind. The Form of Government, when we were passing out from the province of a State Church, and a State religion, we proposed to the people of the United States in the most favorable way, the Form of Government and the Confession of Faith which we have adopted. I desire to read one or two sentences. "The Presbyterian Church in the United States of America, in presenting to the Christian public the system of Union, and the Form of Government and discipline which they have adopted, have thought proper to state by way of introduction, a few of the general principles by which they have been governed in the formation of the plan. This, it is hoped, will in some measure prevent those rash misconstructions, and uncandid reflections, which usually proceed from an imperfect view of any subject, as well as make the several parts of the system plain, and the whole perspicuous and fully understood."

The passage in the Confession of Faith I wish to read is merely this: "The infallible rule of interpretation of Scripture is the Scripture itself;" and then the section immediately following: "The Supreme Judge by which all forms of religion are to be determined, and all decrees of councils, opinions of ancient writers, and doctrines of men, and private spirits are to be examined, and under whose sentence we are to rest, can be no

other but the Holy Spirit speaking in the Scriptures."

In making up a decision which shall commend itself to an impartial public, and to the benediction of the Great Head of the Church, I desire to take our stand, or my own stand, in coming to such decision, upon an idea which I consider to be stated in those articles from our Confession of Faith, and the substance of which endorses this idea: that no minister of the Presbyterian church can ever be tried simply upon what we have come flippantly to call "our standards," but upon those standards as *interpreted and judged forevermore by the Holy Scriptures.*

When, in my ordination vows, I sincerely received and adopted the Confession of Faith as containing the system of doctrines contained in the Old and New Testament, I received and adopted a Confession of Faith which pronounced itself to be a fallible rule, and not an infallible rule of faith and practice. I received and adopted a Confession of Faith which states, in itself, that it is an imperfect rule of faith, and which, therefore, not only permits but obligates every minister, who is faithful to his high trust and ordination vows, if he sees a defect in that Confession of Faith, to point it out under proper circumstances, anywhere and everywhere, as a teacher of the Gospel of Christ. I say that my ordination vow requires me to receive and to treat that Confession of Faith as a fallible rule of faith and practice, and not an infallible rule. The Bible is the only infallible rule. The question evermore to be decided, upon the constitution of our Church, dear brethren, is, whether our views are correct or not; in regard to defects in the Confession of Faith; whether the defects we have found, in the language or the statements of the Confession of Faith, are such as effect the integrity of the standards, whether they are such as to contravene, last of all, the Word of God; for every Presbyterian minister has a right upon the floor of his Presbytery, his Synod, or his General Assembly, to say he has found certain things in the Confession of Faith which are not in accordance with the Word of God, and to prove, if he may, that that statement, or those statements, are not in accordance with the Word of God.

The point I wish to state here is, that the Confession of Faith is not the final appeal, nor the final judge. The Supreme Judge, by whom the controversies in religion, the decisions of Councils and Synods are to be regulated, can be and must be none other than the voice of the Holy Spirit, speaking in the Sacred Scriptures. But at the same time, leaving that point entirely, I merely refer to one quotation which has been made in reference to the errors of Prof. Swing. I was sorry that the quotation was made in the manner in which it was made. I really felt sadly when the quotation was made. I felt that I must correct the knowledge of the court in regard to it, if it was not sufficiently corrected by the reading of those who heard it. Prof. Swing, as his words were read by a distinguished professor, whom I have come to respect very highly, though but very slightly personally acquainted with him, in his very able argument this morning, quoted Prof. Swing as saying, "All definitions of it"—that is, of faith—"as being a belief in things not well known, or belief in testimony, or in doctrines hard to understand, are wasted words," and there the quotation, as read, ended. Prof. Swing *does* say: "All definitions of it, as being a belief in things not well known, or a belief in testimony, or in doctrines hard to understand, are wasted words *for children*, to whom no doctrine is different," &c.

I confess that I was astonished when I heard those words quoted. The 8th chapter of Romans, the statements of Paul, if given only to children, are wasted words.

Mr. Moderator, under the first Charge, I have to say, that this Presbytery are not called upon to pronounce upon the absolute faithfulness of Prof. Swing, but upon the question whether he is proved to be unfaithful. The respondent is not obliged to show that he has been faithful, but only to rebut evidence of his unfaithfulness. He is not at all called upon to disprove the allegations, but only to disprove and rebut the evidence adduced in support of the allegations. So far as he has gone further than this, and disproved the Charge and the allegations under it by valid evidence, then he has proved his general faithfulness; and the rebuttal is all the more overwhelming. A man charged with vagrancy may disprove the proof of his loafing about the street, or street corners, during certain hours, on the one hand, or he may prove that he has been constantly at work, in one factory, during the time alleged. It must require the most positive and

weighty proof to establish so general a charge as that of breach of ordination vows by unfaithfulness. If it were allowed that the President of the United States should be impeached on a general charge of his violation of his oath of office, it would make it easy to frame articles of impeachment, but none the less difficult to prove so general a charge. One word in regard to the proof adduced of the vagueness of statement, and of phraseology, such as Unitarians and others may use. Mr. Moderator, I listened to the eloquent Unitarian, Dr. Dewey, at one time,—and he used words precisely these, as I now remember: "We Unitarians believe in the Divinity of Christ. I may go higher, and say that we Unitarians believe in the deity of Christ; and, if it be possible, I will go still higher, and say we believe that Jesus Christ is God." I merely adduce this to show how utterly impossible it is for an evangelical clergyman to use words which a Unitarian might not use. It is true, Dr. Dewey afterwards began to say there was a spark of the Divine in every human being; but the terms then used were the highest terms which evangelical ministers use.

OPINION OF REV. W. F. BROWN.

MR. MODERATOR: As this matter is to be finally settled, not by speeches, but by votes, and as the vote of the youngest and least important member of the Presbytery has just the same weight as that of the most learned and most venerable, I have endeavored to prepare myself to be able to vote upon this question intelligently and conscientiously; and in looking over the charges and specifications, as written, I have found it necessary to settle, for myself, some definite principle upon which I could so conscientiously vote. And, without making any speech, I would simply read that principle, as I settled upon it, on Saturday night, after all the argument was in, as follows: I feel it necessary to vote on each specification in its moral sense, as implying or not implying the guilt charged on the accused.

OPINION OF REV. J. B. M'CLURE.

MR. MODERATOR: I shall vote for the acquittal of Prof. Swing. I shall vote for his acquittal under both of the charges, and under all of the specifications. I shall do it because I believe him to be a Presbyterian; because, I may say, I know him to be such, and know him to be evangelical, and orthodox, and a minister who is faithful, and whom I believe, to-day, to be one of the first ministers in the land, and who is yet destined to be one of the greatest men in the whole Christian world. I shall do it because I believe these charges to be false; because I believe them to have been largely impelled by the spirit of jealousy; because they have not been proven on this floor, and because of other things which I will not say at this time.

I desire to preface what I may say in regard to my relations with Prof. Swing with the remark, that he has not chosen me, but I have chosen him; and that, somehow, I have been so fortunate within the last six years as to have been thrown with him in very intimate relations; first, in connection with the *Northwestern Presbyterian*, when his study was only across the hall from the office. I do not say he was connected with that paper, but I say it was very convenient for the Professor to step into our office about every day to discuss frequently these great doctrines of Presbyterianism. This happened some five or six years ago, when we were adjusted in this way, and I desire to say that, in all that time, the Professor always seemed to be delighted to come into the office, and to discuss the great doctrines of religion; and never in a single instance have I known him to disagree with that kind of Presbyterianism that has been announced here, in the person of the Rev. R. W. Patterson. And, sir, when the chief editor of that paper was gone—I refer to the Rev. Dr. Erskine—it was my delight to go and call upon Prof. Swing, and to have him write an article for the paper, which I did frequently. It was there, in those relations, that I found out, in my first meetings with this man, what Prof. Swing was. And from that day to this—and I desire to declare it before this body—I have always sought in the various papers in this town, (and I have been connected with a number of them,) I have always sought to publish everything about Prof. Swing that I could possibly; and I have done it because I believed him to be an Evangelical minister, a Presbyterian minister, a man who was faithful in the discharge of his duties. Prof. Swing, as you all know, is now connected with the *Alliance*, and in this way I am thrown with him from day to day. I desire to say that, in all relationships in this connection, I have found him to be any-

thing else than what these charges and specifications declare. The history of the *Alliance*, in part, covers the history of these accusations, and I may say that, time and again, when I have seen these articles in *The Interior*, and since these charges have been made, I have privately conversed with Prof. Swing upon these points; and he has told me that they were all lies. I offered to quote extracts from his sermons in the papers that would make him stand before the world, saying that Christ was divine, and saying that he believed in faith in Christ as essential to salvation, and showing him to be a Presbyterian, and not a Unitarian; and then he said it was all a lie—but I might quote whatever I pleased.

I may say that in all of these conversations he has told me, point-blank, that he did believe that faith in Jesus Christ is essential to salvation; that he did believe in the deity of Christ, and that he did believe in the Trinity of the Godhead. I have asked him these questions. He has answered these questions. He has conversed about them without any asking, and in every instance, I may say, Mr. Moderator, he has answered in the affirmative, attesting to me that he is a gentleman and a Christian against whom, sir, these charges are utterly false.

Now, it is because, as I said in the first place, of these relations which I have sustained with Prof. Swing, knowing him as I do, because he has made those declarations so frequently and earnestly to me, that I shall vote against these charges. I desire to say this: That the one peculiarity of Prof. Swing's preaching, as he has said to me, is that he makes the Lord Jesus Christ a specialty. If you will read his sermons carefully, you will find them, every one, bearing on Christ. You will see that he finds his perfect man in Christ; that he finds his perfect God in Christ; and in this way he always makes Him the central figure in his sermons. That is the great doctrine of his preaching. I believe that no man in this denomination preaches Jesus Christ more truly than Prof. Swing. We may not all believe it at this hour, but I do believe that the time will come, and it will speedily come, when it will be acknowledged, not only in this town by us, but by the whole country, that the Lord Jesus Christ has no better friend, has no truer friend, and a man working more faithfully and more earnestly for Him than Prof. Swing.

OPINION OF REV. J. H. TAYLOR.

Mr. Moderator: I entered upon this trial in as impartial and simply judicial state of mind as I can conceive possible. I have long loved Prof. Swing and believed in his honesty, though not approving of all he said, and seemed to believe. Prof. Patton had recently been in my pulpit, and there gained a new hold on my mind and heart, as a man of eminent ability and Christian spirit—a brother to be loved. The preferment of these Charges filled me with sorrow; for they were grave enough, if sustained, to sink the accused in hopeless infamy. And yet, the cool certainty of the accuser, and my confidence in him, pressed down upon me the conviction that he must be sure of incontrovertible evidence. But having given my entire time, and most careful attention to the case, for all these days, I am obliged to confess that the whole affair has assumed the aspect of a great bubble, which has finally burst, and left nothing but a cold drop of surprise and sorrow that these charges should ever have been framed and entertained.

I find just nothing, in either the oral or documentary evidence, in proof of unfaithfulness to ordination vows. Prof. Swing confesses, indeed, that he has slipped away from certain former positions; but then he limits that slipping away by the latitude of interpretation allowed in the former New School branch, as he says. Vague, ambiguous, and dangerous language—granting that it has been used—does not prove the charges, because vagueness, ambiguity, or dangerousness has not been proven by testimony.

His methods of treatment, and modes of speech, seem rather—the more we read his sermons—to evince unusual care to be faithful to what he believes to be the truth, and the best ways of putting it. Not one doctrine, concerning which defection is alleged against Prof. Swing, is necessarily contravened by any statement that I have yet found in his writings. Not one is ridiculed. Ridicule is employed in such connection, I admit; but always, as I understand him, at some exaggeration of the doctrine—not at the doctrine itself. All that is peculiar, in his methods of treatment and statement,

seems to me allowable on one or another of the following grounds:

First, His intellectual habits and literary tastes.

Second, The right of individual judgment, as to how often, and how formal, the formulated doctrines of the church shall be transferred to the pulpit.

Third. More latitude in the interpretation of standards than has formerly been allowed.

Fourth. On the ground of his reiterated averment that, by his language and methods, he does mean to teach the evangelical doctrines, adding that he uses the word "evangelical" in the usual sense.

In the absence of positive testimony to offset these averments, and as he is not charged with being a liar, it is not just to assume that he speaks falsely; and without that assumption I find not how to sustain these charges. This was written on last Sabbath evening, before anything was heard from the opinion of voters. I have a few additional notes here that I would like to enlarge upon, in connection with some suggestions made to-day.

It has been said by one brother that loyalty to the Presbyterian Church demands that our standards be accepted by the ministers, and the members of our churches. Prof. Patton, when in my pulpit, preached a very excellent sermon; and in that sermon he very specifically, and very much to my delight, said that persons coming into our churches should not be required to give their assent to our Confession of Faith.

Prof. Patton.—That is still my opinion. I adhere to that opinion.

Rev. Mr. Taylor.—Yes, sir. And if it should happen that Prof. Halsey should accuse Prof. Patton of heresy on this point, I should have to defend Prof. Patton. It has, again, been suggested or said to us here—and quotations have been read to the point—that Thomas Smythe did not believe that John Calvin believed in infant damnation.

Rev. Dr. Halsey.—He said Elders and not members.

Rev. Mr. Taylor.—I understood you to say members. I am sorry to have the wind taken out of my sails, but let it go. Thomas Smythe says, according to quotations read this morning, that Calvin did not believe in infant damnation.

I wish Prof. Halsey had come down a little nearer to modern times, and quoted from Mr. Shufeldt's testimony, wherein he swore distinctly that, in his estimation, the whole drift of Prof. Swing's much-talked-of letter to him was a defense of the Presbyterian Church, and not a ridicule of it. Again, the import of the expression quoted from Prof. Swing, *natura naturans*, was declared to be that Prof. Swing did not believe in depravity. The point in connection with it is, that Prof. Swing was referring to the holy nature of Adam, and not to the unholy nature of us ministers.

Again, it was suggested, in some of these remarks, that we are not to allow this argument to have force, namely that Prof. Swing be judged by the Bible—that his preaching, or teaching, is to be judged by the Bible, rather than by our standards. My answer to that is, that the Bible, certainly, should be regarded as a very respectable commentary upon the Confession of Faith. The fact that Prof. Swing does not preach dogmatically or polemically, will seem to explain Dr. Swazey's suggestion to the effect that he has much more influence, probably, over infidels, than any other minister in the city. I want to add that a gentleman has said to me, within a few days, that, seven years ago, he was an infidel, and that very largely through Prof. Swing's preaching, he has adopted the Christian faith, and loves it. And this is right in connection with something else of my own experience, and which bears upon the point of omitting some of our doctrines. I once fell in with a man who was a notorious infidel—a scoffer at religion. I knew he was, before I approached him; and, in approaching him, he said to me, "So you are a Presbyterian minister, are you?" Yes, sir," said I. "And you believe in predestination, do you?" Said I, "No matter about predestination,—let that go." "Well, you believe in the Trinity, don't you?" Said I, "Let the Trinity go." "Well, you believe that, no matter how many good works a man can do, that won't help him to heaven?" Said I, "No matter about good works or salvation, I'll let them go." And then I said, "The question, my fellow-man, is, whether you believe you are a wicked man, and need God's forgiveness,"—and he listened to me.

Now, I believe that sort of idea is just what runs right through Prof. Swing's preaching. He let some of these things go, for the present. I should not think it fair

at all, if somebody, who might have overheard that conversation, should arraign me for denying the doctrine of the Trinity, and all that.

OPINION OF REV. BEN. E. S. ELY.

MR. MODERATOR: At this late hour when we are all wearied out and when our minds have been confused by a multitude of words, I do not propose to make a speech.

There are some things however, that strike my mind with force and govern me in making up my opinion upon this case. Although we have heard a great deal about construction and a learned Professor has even intimated in his speech that our standards and constitution have but little to do with this case; I believe they furnish the only rules by which we can be governed in our decision. The simple question presented for our consideration is, whether the accused is guilty or not guilty as he stands before us under the law as we have it in our constitution?

Sir, by what authority does this Court have an existence as a Court of our Church, excepting under the constitution? What power has the Presbytery excepting that which is conferred by that constitution and, what is the power thus conferred? To sit here in judgment upon the very law of which it is a creature? To determine whether the standards of the church are right or wrong? To determine whether we may receive into our Presbyteries any minister who simply preaches the Bible, as a learned Professor, who is teaching our young prophets says? No, sir, the terms upon which this Presbytery is to receive candidates for the ministry are laid down in that law, and the conditions upon which a minister is to hold his office are set forth in that law, and by that law we must be governed in the decision of this case.

Gentlemen say there is a difference in construing that law, and that this prosecution is but a bubble bursting and leaving but a cold drop. Why is it then that the learning and ingenuity of the most learned and honored of our brethren have been exercised to their utmost in the endeavor to defeat, as I humbly believe, the right. They say: "with the Old and the New, there is a difference of construction." Sir, I am ready to accept the construction placed upon that law by the New School Assembly and say to this body, "Brethren, decide upon the guilt or innocence of the accused by the rule of construction placed upon the standards by the New School." Whilst I sympathize with the defendant, (and I do, God knows)—whilst I sympathize with the defendant, and whilst I repudiate the idea that I have any personal feelings of enmity, or that in finding him guilty, we thereby make him a liar and subject to a moral turpitude that some brethren intimate that his conviction would involve; whilst I respect him and do not impugn his moral integrity; I do not believe that he receives and accepts the Confession of Faith and its doctrines in the New School sense.

Now, Sir, we differ in opinion honestly as to what the New School interpretation of the creed is. We differ honestly as to what the interpretation of the word "Evangelical" is; and it is not because I impugn the honesty of the defendant that I say, I do not believe that he does receive and accept the Confession of Faith as construed by the New School.

Sir, it has been intimated that the prosecutor, and those who stand behind him, are all Old School men; and there has been an attempt on the part of the defense to hide itself beneath the wing of the New School, and this shows the weakness of their case. We have been reminded of the fact that our learned and venerable father (Dr. Patterson) was one of the leaders of the New School, and a member of the Reunion Committee; we have heard this rung in our ears, and have been told that all who stand behind the prosecutor are Old School men.

Sir, in my own case, although ordained in the Old School Church, I am reminded of the words of the Apostle Paul when he said, "If any man thinketh that he hath whereof he might trust in the flesh, I more: circumcised the eighth day of the stock of Israel, of the tribe of Benjamin, a Hebrew of the Hebrews." Baptized in the New School Church, I, the son of one who was the particular friend and defender of Albert Barnes, the man, sir, to whom Dr. Bayard attributes the authorship of the article that finally led to the separation of the two Churches; the man, sir, who was Moderator of the General Assembly in 1828, and afterwards Stated Clerk; the man who edited the *Philadelphian* for nine years, a representative man and one of the leaders of the New School—I stand here as his son, and I wish to quote from his words as a representative New

School man, that I may put his sermons beside the sermons that have here been read upon Justification by Faith and imputed righteousness. When you have heard his utterances, tell me whether the trumpet that sounded from the pulpit of the old Pine street church, and from the successor of Alexander and Milledollar, and the predecessor of Brainard and Allen, sounds as the trumpet does when we hear it from McVicker's Theatre?

Now, Sir, I wish to make up our opinion in this case as to the soundness of Professor Swing upon the doctrine of Justification by Faith, as that doctrine is set forth by a representative man of the New School. I ask you to compare the sermon I hold in my hand with Professor Swing's sermon on Faith as it was fairly presented by Dr. Halsey. Now, sir, read from this representative man: "This life (divine life) is commenced by justification and continued by sanctification; and one who is without these blessings, has never seen life, but the wrath of God abideth on him. By that act of our Maker, in which He accounts us just, we are justified, and our state is instantly changed, so that, from being the moment before dead, we become alive in law. The sentence of death is, by justification, removed, and we accepted as righteous in the sight of the Judge. He accounts us righteous because we are legally righteous, and He imputes righteousness to us because it is 'our righteousness.' If it were not ours it would not be counted so. Neither should we be judicially pronounced just, had we not perfectly satisfied the claims of justice upon us. Our righteousness, however, is not of our own performing, and in our own persons we neither have satisfied the divine law or ever should answer all its demands. Our righteousness was wrought by Christ, and the *satisfaction* given to Justice for our numerous crimes was rendered by Him. This righteousness becomes ours by our being united to Christ. This union is effected by faith." That is the language of a representative New School man upon the doctrine of Justification; but sir, we shall be told, I expect, that New School doctrines, historical, are different from New School doctrines, actual. Perhaps my learned father will say: "The world moves." It does. But, sir, if there is a difference between New School theology actual, and New School theology historical, who is to decide? Upon whom shall we call? Dr. Swazey said—and I think he said truly—that Professor Swing was neither a New School Presbyterian nor an Old School Presbyterian, but *sui generis;* and if he is neither an Old, nor a New School Presbyterian, in the name of my Master what kind of a Presbyterian is he?

Now, sir, the question is not whether Professor Swing is an evangelical preacher, but whether he is a Presbyterian. Professor Blackburn says we might admit to our pulpit any man who preaches the Bible. Will my brother deny that our Methodist brethren—God bless them, for I love them if I am orthodox—preach the Bible?

Rev. Dr. Blackburn: Will you bless me too?

Rev. Mr. Ely: Yes, sir; and I bless you all.

Rev. Dr. Blackburn: I rise to explain—

Rev. Mr. Ely: I have only a few minutes more, and I hope you will not interrupt me.

Now, sir, under Mr. Swing's Confession of Faith, we might admit any Methodist brother, or Arminian. Are we ready to do that? Certainly not. And then with regard to the question of interpretation, why Sir, I am frank to say that if it were not for the light that I obtained from the answer of Mr. Swing, and his argument upon this case, I might be in doubt as to the evidence; but construing the evidence in the case in the light of his answer, in which he evidently does not declare his adhesion to the Confession of Faith as received by our Church, I am bound to believe that these doubtful expressions are used intelligently and purposely as setting forth his doctrine. But we are told that there are authorities to be derived from the sermons on both sides; and I confess that in this case I have been reminded of a certain political snake that I once heard of, that—

> "Wired in and wired out
> And left the people still in doubt
> Whether the snaky, making the track,
> Was going south or coming back."

And it does seem to me that Prof. Swing—although I do not mean any invidious comparison—has "wired in and wired out" between the doctrines of Unitarianism, the evolution, moral suasion theory, and the doctrines of our church, until it would take even a more skillful man than Daniel Webster to tell whether he was going from the Presbyterian church or coming back.

Sir, the evidence proves that his trumpet gives an uncertain sound, and in such a case how are we to determine? The question is whether Prof. Swing holds to certain Unitarian doctrines. Here is a minister who quotes an evangelical passage from Mr. Swing. We admit it to be evangelical. Here is a brother that quotes another passage that is not evangelical and is heretical. How then are we to determine? Simply by the general drift,—simply by the indications we find of his system of theology. It is not preaching in a Unitarian chapel alone. It is not even mentioning the matter of the Trinity in a light way. It is not one particular utterance. It is not because he defines faith as Unitarians do; but when you come to take all these things in their accumulated form it leaves no doubt upon the mind, so far as I am concerned, that Mr. Swing does lean to what is called Unitarian or Liberal religion.

I am very much obliged to the brethren for their kindness, and I would say this in reference to Mr. Swing's articles of faith: I think that no one can doubt for a minute but that, in all honesty and in all sincerity in the answer, he intended us to believe that he did not receive and accept the doctrines of the church as formulated, when he says that he receives them in the New School sense, and then qualifies it by saying that he receives them in an evangelical sense. I do not mean to impugn his honesty. I simply say that we have a difference of opinion as to what the New School sense is and as to what the Evangelical sense is.

Now, sir, with regard to the doctrines of inspiration, will it be held by any member upon this floor that Mr. Swing holds the doctrines of inspiration and teaches them as they were held by the New School body? Sir, do you suppose the New School Assembly ever would endorse the sentiment that God had inspired a bad law, that He, who cannot look upon sin with the least degree of allowance, tolerated sin and cruelty in the Jew?

Sir, in his answer, did the accused make it any better? On the contrary, he repeated in substance the very doctrines that had been set forth in his published articles. Then, Sir, taking the whole drift of his teaching, not selecting one thing here, and another there, but viewing his system as a whole, as indicated by his salient points, in all his sermons, can we believe that he understands the word "evangelical" as we understand it, or not?

Further than that, sir, he could have answered this charge in such a manner as would not have left a doubt upon the minds of any of this Presbytery. And, sir, I did earnestly hope at the beginning of this trial and when I saw him take the stand here—I did earnestly hope that he would answer that he received each one of the articles set forth in the specifications, and would say, "I do receive and accept the doctrine of Justification as set forth in the standards; I do receive the Canon of Scriptures as set forth in the standards, and acknowledge its authority. I do accept the doctrine of the plenary Inspiration of the Scriptures as held by the Presbyterian Church.

This, sir, would have put to silence this case, at least so far as one charge is concerned, and we would have been willing—and I have no doubt that no one would be more willing to receive this straightforward avowal than the prosecutor himself.

Dr. Blackburn in his speech intimated that we were not to take this into consideration. I beg to differ with him; for there is a difference between a proceeding of this kind and a criminal proceeding strictly so-called, and it is presumed, that in cases of this kind, that the defendant can categorically *ex animo* declare his sentiments in reference to the matters specified, that he will specifically deny and affirm.

This might have been done, sir, but Mr. Swing was too honest in my opinion to do it. He did not specifically affirm or deny. What did he say in his answer about faith? He says "salvation by an *obedient* faith through a mediator—" and that might be said by any one who ignored the use of faith in justification. We claim that there are two uses of faith, one for justification and the other for sanctification; but there is not such a distinction as this made in the answer, and, therefore, I am bound to infer that the specifications in this particular are sustained by the evidence, because the answer does not specifically deny the heresy or affirm the doctrine.

Sir, if he had simply said, using the words of the standards, "I do receive these doctrines," naming them, it would not have been for us to enquire further, because we do admit reasonable latitude in interpretation, but we do not allow a minister, who is a

standard-bearer of the Presbyterian church, to deny in its essence any one of the fundamental doctrines.

Mr. Moderator, we have an argument from my beloved brother, Dr. Hurd, that sounds rather strange, with regard to the Word of God, and we have rather a strange argument from my friend the professor (Rev. Dr. Blackburn.) He says there is a parallel between the construction of Scripture and the construction of sermons. I admit it, sir. I admit that we might take one passage of Scripture without the other, and misconstrue the word; but the beauty of the Scriptures is that they are an entirety, that they are a revelation of God's will and mind to man, and because men spoke as they were moved by the Holy Ghost, there always is consistency. There always is such an assertion of the whole truth that there cannot be an implication of wrong if you construe one passage by another. Sir, you take the doctrines of Christ; take the very doctrine of Justification, and we will admit that you may cut out one verse from James and say that he taught the doctrine of justification by works, but we construe one part by another. If we construe Prof. Swing's sermons in that manner, then we arrive at a fair conclusion. I am not to take out an evangelical passage here, and an evangelical passage there, which is no more evangelical than thousands of passages that I find in Freeman Clarke, and other Unitarians, and say that he is sound, but I am to take a concordance of his sermons and determine their general drift and true intent. But my friend Hurd says we are to interpret these things by the Scripture, and certainly we could not ignore such a method of construction. Certainly not, certainly not. But then there is a difference of opinion between different churches as to how the Scriptures are to be interpreted. We, as Presbyterians, have agreed upon a system by which they are to be interpreted, and therefore we cannot tolerate in our ministry a man who interprets the Scriptures in a manner antagonistic to that system.

Mr. Moderator, I have no doubt that great and important issues are pending upon this trial. Should I consult my own personal feelings, although there are those, who, carried away by their prejudices will perhaps doubt my sincerity—should I consult my own personal feelings irrespective of my duty to the Church and the truth of God, I would say to Brother Swing: "Go and sin no more." But, sir, these are issues that not only affect the integrity of our church and our distinctive character as Presbyterians, but there are issues that to me, go far deeper than this. Take from me the doctrine of Justification by Faith; tell me that I am to climb to heaven upon a mountain of good works; say to me, "He only can look forward with hope who can sweetly look back," and all my hope of heaven is gone; take from me the imputed righteousness of Christ and I have no other ground upon which to stand, and, therefore, it is that I maintain and defend that blessed doctrine, whatever may be the consequences. To that doctrine I will cling while life lasts.

OPINION OF REV. ARTHUR MITCHELL.

I have very little to add to the opinions already expressed by those who seem to favor Prof. Swing's acquittal.

That the defendant has occasionally, in the course of his abundant and useful ministrations, used language which is obscure and objectionable from a strictly theological point of view, cannot and need not be denied. This might be said to a greater or less degree of any of us. Some of his utterances, especially upon the subject of inspiration, made about a year ago, were capable of being widely misunderstood. These things, however, have, in my judgment, been so explained upon other occasions, and, especially in the course of his defense, as to leave no ground for ecclesiastical censure.

It has abundantly appeared, in the course of this trial, that it is extremely unsafe and unfair to apply to the language of popular discourse, the strict analysis of a formal theology, much more, to judge of this language in the form of disconnected extracts; and still more, to enter upon the interpretation of such extracts—ignoring the fact that the person uttering them, is, in this case, an avowed Presbyterian, or, recognizing this fact, to assume that his use of language is that of an adroit or dishonest man. This much as to his teachings.

What are Prof. Swing's doctrinal beliefs? The means of answering that question, substantially, are at hand. It has been repeatedly asked: "If Prof. Swing receives and adopts the Confession, why does he not say so?" I reply, that he has. He has done

it, by his explicit denial of the second Charge. What is that Charge? It is that he does *not* receive sincerely the Confession. Prof. Swing rises, and denies the Charge. What is this but to affirm, distinctly and unequivocally, that he *does* "sincerely receive and adopt the Confession, as containing the system of doctrine taught in the Scriptures." It is such an affirmation, in the lips of any honest man. But this is not all. He then also plainly asserts, respecting the particular doctrines regarding which he is called in question, that he holds them, and that he holds them in the evangelical sense. These words can have but one meaning, in the lips of a truthful man, such as he is believed to be. All else that he says, in his declarations, and his sermons, is to be interpreted in the light of these avowals.

The distinction which he has drawn between *actual* and *formulated* theology wears, at first sight, a threatening look; but he himself has made no use of that distinction inconsistent with a reasonable interpretation and a sincere reception of the Confession of Faith. It is only with his *use* of the distinction that we have to deal.

The charges preferred against him, then, have, in my judgment been met and answered—(1.) By his own declaration and avowals before the Presbytery: (2.) By the whole course of the oral evidence: (3.) Still more forcibly by the extended readings to which we have listened from his discourses: (4.) By a due regard for his mental characteristics, and the peculiar purposes for which most of his published discourses were spoken: (5.) By the concession of a reasonable and honest liberty in the interpretation of our standards.

The positions charged upon Prof. Swing, it is true, are beyond what any reasonable liberty would allow, but that those positions are taken by him is not proved. Only such views of doctrine are stated by him, or proved upon him, as are within such liberty.

He does not ask for liberty to deny the doctrine of Divine Sovereignty, and Divine Decrees; he explicitly preaches those truths. He says they are as true now as in the days of Calvin, that they come into Christianity from the human mind. He asks liberty only to so interpret one part of the Confession, that it shall harmonize with another part; so to interpret the chapter on Decrees that it shall not mean fatalism, but shall harmonize with the chapter on Accountability and Free Will. As a matter of course, such an interpretation would be allowed.

He does not deny inspiration, but affirms it of all the Bible. His difference from his brethren is only in his explanation of some portions of Scripture. He does not deny the doctrine of future and eternal punishment, the final separation of the righteous and the wicked: he affirms it, and in the evangelical sense. He discards only the picture of hell drawn by some divines, but he affirms that the pictures and statements made by Jesus Christ, upon this subject, are true, and are inspired, and that he receives them in the evangelical sense. These words can have but one meaning on the lips of an honest man.

He does not deny Justification by Faith. Setting forth, prominently, one aspect of Faith, in his sermon on that subject, viz: the *natural adaptation* of Faith for its divinely appointed work, is not denying its action and power in other aspects. He declares that he holds the doctrine of Justification by Faith "in the evangelical sense:" words which can have but one meaning on the lips of an intelligent and honest man; and that doctrine is often and effectively implied in the discourses read before us.

I cannot therefore sustain the Charges, nor the specifications as bearing each upon its Charge.

Mr. Ely has said, "we must not judge the Church law, whose creature this Court is." No one supposes we can. But we are called upon—are compelled—to decide whether any alleged differences from the Confession are (1) flagrantly heretical, or (2) such as impair the integrity of the system of doctrine contained in the Confession, or (3) such as, though proved, do not demand formal censure, or (4) such as transcend a liberty of interpretation notoriously and by all parties allowed.

This is all the judgment under the Constitution and law of the Church, which this case calls for, and all which, as it seems to me, need be expressed. It is in the light of these legitimate inquiries as to the true extent and bearing of the Confession, that we are to decide upon this case.

OPINION OF REV. J. H. TROWBRIDGE.

MR. MODERATOR: What I say in ten minutes' time must be extremely fragmentary. This

speaker was introduced as a witness, by the prosecutor in this case. In a letter written something less than two years ago, he averred that Prof. Swing was a "queer fellow," that he sometimes troubled his brethren by the manner of his utterances—I will not undertake to quote language—and that it was not impossible that he might compel the Presbytery to pay some attention to his public deliverances. I thank the prosecutor for the introduction of that evidence, because it shows that I have not come to this case so prepossessed in favor of the accused as that I cannot form a fair and reasonable judgment upon the evidence that has been submitted here. I might, sir, plume myself a little upon the gift of prophesy therein displayed, but I waive all credit on that point.

Mr. Moderator, I have been reminded several times, since this trial commenced, of a remark made by the late Rev. Dr. Skinner to his son Thomas, now of Cincinnati. Conversing concerning that arch heretic Dr. Bushnell, whose case was at that time exciting considerable attention, he said, in his peculiar manner: "Thomas, my son, I thank God that there are some men of genius in the ministry; and Thomas, my son, I thank God that there are no more of them."

Mr. Moderator, I thank God for David Swing. I thank God for his noble development of Christian doctrine in this city. I wish there were a David Swing in every important centre in this whole country, who might develop the truth as God has given it to him, and not to these my brethren. Do I then wish that every man were a David Swing? No! I thank God for Prof. Patton, and for men, who like him, utter the truth as God gave it unto them. "Who is Paul and who is Apollos but ministers by whom ye believed, according as God gave to every man." He gives to Prof. Patton the man whom his logic and his definite statement of doctrine could best convince. He gives to David Swing such a man as a few days ago met me—one of the most eminent professional men in this city, whose name is known to you all, and who is one of the very best men, in my judgment, to be found here—and he said to me that, up to two years ago, he had found himself drifting away from the fundamental doctrines of Christianity; that is, in great doubt and anxiety upon these points; that he had heard Prof. Swing during these two years, and that he had received an immense benefit at his hands.

Now, with all respect to the prosecutor, and to his ability, I take it upon me to say that had that man listened, for two years time, to Prof. Patton's preaching, he would have been driven, week by week, deeper into the mire of doubt. And, why? Because the Lord giveth to every man as it has pleased Him.

Mr. Moderator, I profess to believe, I do believe, that nothing has been proven here to the injury of the orthodoxy of our brother Swing. I am going further. I hold that a more scriptural theology is preached in the pulpit of the Fourth Presbyterian church than is taught from the chair of dogmatic theology in the Northwestern Presbyterian Theological Seminary. If I must choose between the two, give me the theology of the Fourth Presbyterian church as held by its minister.

Sir, let me say that this seems to me to be a question largely as to the manner of presentation of truth. Let me illustrate my meaning: A system of theology is to me like the osseous, or bony system, of a man. It is all-important. He cannot be a man without it. I have extreme contempt for all this ineffable twaddle that it matters not what a man believes, if he only acts right.

Now, the difference between the method of preaching of this excellent brother who prosecutes, and him who defends, is this: The preacher of the Fourth Presbyterian Church puts the osseous system inside and the flesh without, and the professor of theology in the seminary puts the skeleton outside. In the presence of the fair assemblage that has graced this house for days with its attendance, and relieved largely the gloom of these proceedings, as a matter of taste, I am willing to assume in each of them the presence of a perfect osseous system, and accept them as God has given them to us with their fair features and forms outside.

Mr. Moderator, I suppose I must stop. I want to say one or two things on this matter of preaching. A very few years ago, I chanced to spend a beautiful Sabbath in a village upon the Hudson. I went to the village church, and listened to a man who was then to me a perfect stranger, to whom I subsequently received my first introduction, in the person of Prof. Patton. I was delighted with much of that sermon,—I admired the intellectual ability displayed;

and there was a good deal of saving truth in it; but the prominent impression upon my own mind was that, if I believed the sentiment therein set forth, I could never set my foot again into a pulpit, as a minister of the glorious gospel of the blessed God.

One word more. The prosecutor has referred to the former pastor of the South Church, Brooklyn, N. Y., and has very properly characterized him as one of the ablest logicians in the United States of America. Sir, I do not vouch for the truth of what I now say, but I vouch for the fact that I heard it from a perfectly responsible party—that the Rev. Dr. Spear did say that, if he believed all the doctrines set forth by his successor in the pulpit of the South Church to be those set forth in the Word of God, he should be obliged to discard the Scriptures as emanating from the God whom he worshipped.

The Presbytery then took a recess until 7:30 o'clock P. M.

7:30 O'CLOCK P. M.

The Presbytery was called to order.

Rev. Dr. Halsey.—I rise to a question of privilege, in order to explain a passage, quoted by Brother Hurd this afternoon, on the 241st page of "Truths for To-day." I stopped in the middle of a sentence at the words "wasted words." Brother Hurd represented me as stopping at the wrong place, because it should have been "wasted words for children." Now let me read the passage—the whole sentence—and you will see that that construction is utterly impossible. "All definitions of it [faith] as being a belief in things not well known, or a belief in testimony, or in doctrines hard to understand, are wasted words, for children, to whom no doctrine is difficult, and with whom all is perfectly well known, and with whom distinctions are impossible, have an unbounded faith in God and Christ." It is perfectly manifest that I was right and the brother is wrong, because the comma there after "words," shows it; and then the reason is given—"For children, to whom no doctrine is difficult, and with whom all is perfectly well known, and with whom distinctions are impossible, *have* an unbounded faith in God and in Christ." I hope the brother will do me the justice, then, to disavow the imputation of unfairness and want of frankness and candor. I should be very sorry to be represented as lacking in fairness.

Rev. Dr. Hurd.—I should be very glad indeed if my own honest view of the passage would allow, to look at the matter differently from my statement as made. I certainly disavow any idea of imputing want of candor, and especially after this statement, although the real drift of the passage seems stronger to me with the full reading than stopping where I did.

Rev. Dr. Halsey.—I hope the brother will read the passage. He will see that I should have wrested it instead of reading it if I had stopped at children.

The expression of opinion was continued.

OPINION OF REV. J. H. WALKER.

MR. MODERATOR: I want to state in general—for in the course of the short time of ten minutes I can say but very little on the subject—that my views and the reason for my vote upon this question have been already fully given, first by Dr. Patterson, and second by Dr. Blackburn, and third by yourself. I could not have given them so well as they were given in your own most admirable paper, so concise, and, as it seems to me, so directly to the point. In general, Dr. Patterson has covered the whole ground, and it seems to me there is nothing left for me to enunciate as an opinion in traversing the whole case. But yet, there are some points, which, if they had not been brought before us to-day, by those who sustain the prosecution, I should not take up the time of the Presbytery in saying a single word. The question has been discussed here at considerable length, by various Presbyters, as to the constitutional question; some feeling that the constitutional question has nothing to do with this case whatever—that this is simply a case whether Professor Swing is an orthodox Presbyterian or whether he is not; and on that alone, as I view it, the constitutional question meets us right in the face, in determining what an orthodox Presbyterian is. With all due respect to our venerable professor, Dr. Halsey—and I may say that no one here admires his learning more, or has greater confidence in his ability and integrity than myself—though it may seem a little out of place for me, yet I cannot help differing with him and criticising his position. As evidence that there is a difference

as to what the doctrinal standards of the church are—not written but interpreted—I would simply cite the fact that a representative New School man, one that we all love and revere, does take one position, and a representative Old School man, one that we all love and revere, does take another interpretation right on the floor of this Presbytery. It seems to me perfectly conclusive that there is a difference of interpretation, and always has been since the separation in 1837, of the standards of the church. Well, then, we are met with the question: what is the test of a man's orthodoxy if it be not the formulated creed of the church? I reply to that, that the test of it is the acknowledged interpretation that has been given by the church at large,—given by its representative men—given by its general teaching outside of the creed; and it is upon this point, it seems to me, that this whole question turns, and no where else. And it is upon this point that I wish to say what I have to say. And it is upon this point, and this point alone, that this case seems to me to have any importance; for I agree with the brother who is accused here that it has not, in any other aspect of it, to me, any solemnity whatever. I agree with brother Taylor in feeling that it is a bubble which has burst and left only coldness and sorrow. It has not even left that on my mind, only so far as sorrow comes from the honest differences of the brethren. I want on that point to say, that I am more and more convinced, that we are in a solemn position as a court of God's house, not because this brother stands or falls alone, but because there is likely to grow out of the decision we make a very great difference as to what the condition of the church is to be in the future. I do not agree with those who have spoken here that it ought not to make any difference with us in reference to our decision in the matter. Aye, it does make a difference with me; it has made a difference with me; and in my humble way I have done all that I could to prevent this prosecution, and simply on that ground, and that alone. Whether or not you admit that Prof. Swing was right, I have held that a greater, an infinitely greater, injury would come to the church by a prosecution of this kind, than could possibly come to it, even admitting that he was all that the prosecutor claimed before he brought the case, if he continued to preach as he did to the age of Methuselah; and I believe it in my heart of hearts to-night.

On one or two points I want to advert for a single moment. One of them is in reference to the quotation read from Prof. Swing's sermon on "Religious Toleration or Charity," by an honored brother, Doctor Halsey, this morning in this language—(page 23:)

"Rubric, surplice, prayer-book, two souls of Christ, Easter time, the transfiguration light, the election, the predestination, the laying on of hands, all count no more with the thoughtful historian *seeking for the merits of an age* than counted the costumes of those eras or the carriages they drove."

What is the key of that passage? Dr. Halsey comes in here and tells us that Prof. Swing denies the doctrine of election, and the doctrine of predestination, and counts them of no value. What is the key of it? "They count no more with the thoughtful "historian"—doing what? "Seeking the "merits of an age than counted the cos- "tumes of those eras, or the carriages they "drove." In this sense he accordingly says, "We place them below price," and that is all the meaning there is of the passage; and I should like to ask if even Dr. Halsey places these things above price?

One word, now, in reference to the matter of difference of interpretation of the standards. I forgot it a moment ago when I was on that point. I want to say that we have evidence from the members of this Presbytery, that the standards are not to be accepted in the sense that the prosecutor or even Dr. Halsey himself have advocated on this floor, but I bring the evidence right home to this. This Presbytery has licensed and ordained within the last year and a half two students from the Seminary, one of whom came upon the floor of the Presbytery and said he had doubts in reference to election, and doubts in reference to predestination, and Dr. Halsey and Dr Patton, and Dr. Elliott, and Dr. Blackburn sat there and advised us to license them and ordain them.

Prof. Patton.—Excuse me, brother. I have no recollection of that.

Mr. Walker.—He endorsed the Heidleberg Catechism. Another brother came in, and said he had doubts about the absolute total depravity of man, as stated in the Confession of Faith. He had some doubts about accepting that strong statement in that way.

Did we cast them out? No. We are taking in young men who come in here and tell us they do not exactly accept these formulated statements; and yet here is a man who stands not only the peer of any of us, but a head and shoulders above any of us, who comes in and tells us that he *does* accept the Confession of Faith, as containing the system of doctrine taught in the Scriptures, and accepted it sincerely; a man who has the ability to call together two thousand people to preach to them; a man who has had more to do with meeting honest doubt than any other man in this city to-day; and yet you propose to cast him out because he followeth not after the prosecutor.

One other point, and that is the point in reference to this sermon on Faith. I am utterly astonished, Mr. Moderator and brethren of the Presbytery, that so good a man as Doctor Halsey, and perhaps so poor a man as myself, should differ so widely upon that sermon. Professor Swing preached that sermon in my own Church; and I thought, when it was concluded, that it was one of the most admirable sermons on one phase of faith I ever listened to. There were Unitarians in the audience—there were Universalists in the audience—there were Nothingarians in the audience—who were convinced by that sermon. Now, what is the object of that sermon? Prof. Swing made a statement that is not in the written sermon here, as I find it in the book. When he began the sermon, he said to those people that sat there—it was immediately after the week of prayer—he said: "Some of you, doubtless, have raised "the question in your minds why it is that "God says we are to be saved by faith? "Why does He throw down that arbitrary "arrangement, and say we are to be saved by "faith?" He proposed to show, in this sermon, that faith was not an arbitrary thing of God, but it was something in the mind.

OPINION OF REV. J. T. MATTHEWS.

As the ground upon which I shall vote, when the proper time comes, for the acquittal of Prof. Swing has already been traversed in the main, I shall have but little to say this evening. I wish, first of all, to say a word or two with regard to this indictment, as it relates to the charge of heresy. I cannot speak with soberness, now, of this portion of the indictment. It has dwindled, and dwindled, and dwindled, till it is no longer visible to the naked eye; and I think even the prosecutor himself must have come to the conclusion, by this time, that the Presbytery of Chicago is what Mark Twain would call "splendid hunting ground;" for he, in one of his droll books, speaks of a region far out beyond the mountains, and reports it to be a most remarkable hunting ground. He says it is the best he ever saw. "Why," he says, "a man can hunt there for weeks and not find anything." So much for the heresy. No, I have a little more to say about heresy, but it is of a different kind. I want to say this: that there is a kind of heresy in this region, and, indeed, all over our country—and if Prof. Patton wants, by and by, to join in a good chase where he will find plenty of game and be sure to bag it, I can put him on the track. There is a great deal of heresy, I say, and my reason,—one of my strongest reasons—for believing that Prof. Swing is one of the most faithful and zealous Presbyterians in Chicago, is the fact that he is giving all his energies to the hunting down of the heresy to which I refer; for this heresy is not a heresy of the head, but it is what a noted preacher of the Establishment has termed the "heresy of the heart." I have had the impression, for a long time, and this impression has been deepened since this trial began, that the Presbyterian Church is altogether too proud of its systematic theology. One of its stoutest defenders has said, on this floor, that the glory of the Presbyterian Church is its formulated theology. Now, as everybody knows, I am a tip-top Presbyterian; but I want to say that, with Paul, "I glory only in the Cross of Christ."

There is this heresy of the heart; and there are many men in the Presbyterian Church to-day who are prouder of their theology than they have reason to be of their virtue. Now this is the truth: that there are many who tithe out their mint and anise and cummin of systematic theology, so as not to fall short by a scruple, and yet forget the weightier matters of the law, justice, and mercy, and truth. This great fact has stood out so clearly before Prof. Swing, that he has undertaken to combat it; and that is one reason why he has preached so much to convince men that they are saved through Christ,—not so much by their beliefs as through their lives; and that the Christian religion is not so much a system of dogmas

as a holy service. "Not every one that saith unto me, Lord, Lord, shall enter into the Kingdom of Heaven, but he that doeth the will of my Father which is in Heaven." This, I believe, is the key note of Professor Swing's preaching; for I believe there is no man in our Presbytery, except his own elder, who has heard him more frequently than myself.

And now, another point. Prof. Swing's heart is so large that his Christian sympathies and interests overflow the bounds of his own church and go out over all the land. Prof. Swing is, as the charges state, a minister of the Presbyterian Church in the United States of America, and he, unlike too many of the brethren, has not forgotten that he is an American Presbyterian; and he has therefore taken the liberty, and seized upon the opportunity, to preach in a way to meet the demands of his own country. Now, this accounts for the fact, I think, that he emphasizes so much the grand old truth of the free agency of man, and of his personal responsibility to his Maker. The old Westminster Catechism was formed, as you know, under the old monarchies of the East, and the spirit of these old monarchies and aristocracies entered into that Confession; and that is one reason why the doctrine of the divine decrees, and of the divine sovereignty, occupies so prominent a place in that Confession. If that Confession of Faith had been made after this Republic had been established, we should have had more in it of the free agency of man. Prof. Swing sees this country full of human liberty, and full of human activity; and he therefore, like a good and brave Presbyterian, tries to train up men to be not only good Christians but to be good citizens. And, sir, we should not have had the corruption, social and political, which has so saddened us all during these latter years, if, during the last thirty years, there had been more preaching upon the doctrine of the free agency of man, and on the personal responsibility of the citizen of this Republic. Let me just say this: I know what Prof. Swing's preaching is, because I have heard a great deal of it. I know what Prof. Patton's preaching is, because I have heard considerable of that; and I think that Prof. Swing's preaching is the best preaching, as Presbyterian, because it has done the most good. Now, when I have heard Prof. Patton preach, he has seemed to feed me with old dry hay, that had been stored away for ages in the old Confession. When I hear Prof. Swing preach he gives me fresh green grass, cut from the very same roots from which that old hay was cut ages ago.

I must stop, although I would like to go on. Let me just say this: that for the reasons I have stated, and for many more that I cannot state for want of time, I shall vote for the acquittal of Prof. Swing; and I shall only regret, while casting my vote, that I cannot, whilst retaining one Prof. Swing, or helping to retain him, in the Presbyterian Church of the United States of America, help to bring into this Church a hundred more just such high-minded and large-hearted preachers of the simple gospel of the Son of God.

OPINION OF REV. C. L. THOMPSON.

Mr. Moderator: For the sake of saving the time of the Presbytery, by compressing what I have to say as much as possible, I have jotted down the points which I wish to make. I propose briefly to give my views of the case, and in doing so shall foreshadow the vote I expect to cast. Indulge me in the preliminary remark, brethren, which is not new in these opinions, and which I doubt not we all share, that we are acting, and that I am acting, in this matter under a sense of the gravest responsibility, I think, that I ever felt upon any occasion of Presbyterial or Church action. I have endeavored, during this trial, to realize in my experience the words which you, Mr. Moderator, have sometimes used in opening the session with prayer, that the presence of God might make us measurably forgetful of every other presence. Counting, as I do, both the prosecutor and defendant in this case, my personal friends, and realizing my vows to God, and responsibility first and uppermost to His truth, it has been my purpose to know no man after the flesh. The great French preacher, called upon to speak in eulogy of his dead sovereign, turned from the stately presence with the memorable words, "God only is great;" and so have I tried to have the presence and greatness of God overshadow and hide every other thought and presence. Further, I wish to say that I have, in going over this case, in my own thought, and now before the Presbytery, endeavored to consider it purely on the evidence submitted here, and the

pleading of the accused. For convenience, I shall refer, first, to the second charge, that David Swing does not sincerely receive and adopt the Confession of Faith.

The first specification is not before us. The oral testimony in the other specifications, second and third, does not, it seems to me, sustain the charge; first, because the recollection of the witness was not clear, either as to whether Mr. Swing said *he* had abandoned, or the *church* had abandoned, one or more of the five points of Calvinism; or as to whether one or more of these abandoned things were among the five points; or whether the one point on which his recollection was clear, was the received doctrine of total depravity, or an exaggerated representation of it, held by extremists and qualified by Mr. Swing, by the word total or absolute. In that confusion of recollection, it does not seem to me clearly evident that Mr. Swing told Mr. Shufeldt, that he had abandoned one of the five points, as taught by our standards. But the main reliance for the support of these two specifications is the preaching of Prof. Swing. The references found in his sermons do not seem to me conclusive, nor does his plea before the Presbytery seem conclusive. He affirmed, indeed, a distinction between formulated and actual Presbyterianism; but it does not appear from that plea, that the liberty claimed in that distinction is of such a character as to involve the integrity of the system. I conceive the distinction *may* involve a dangerous principle; but I am deciding, to-night, not on the principle that may be involved, or its results, but upon the *facts*—a distinction manifest to my mind. *Per contra*, he declares, in the same plea, that he is a New School Presbyterian; and, except in a narrow range specified—namely, in regard to formulas which seem to include a dark fatalism, or the damnation of infants—he has not at all departed from Presbyterian doctrine. Now, as neither fatalism nor infant damnation were ever parts of Presbyterianism, I take his statement to be a declaration that he has never at all departed from the standards of the Church, in any such way as to impair the integrity of the system. Without time to make special mention now of those specifications under the first charge, which are relied upon in support of charge second, it will be sufficient to indicate that they do not sustain the charge. Assuming, as I do always, the honesty and integrity of the accused, I could not receive any doubtful evidence, gathered from sermons or expressions, as against his deliberate statement that he does receive the doctrines he has specified in the evangelical sense; and if the words, "evangelical sense," be considered equivocal, we may grant it, but find the explanation of the question,—"evangelical in what sense?" in the further statement, added under that, and as qualifying it, that he is a New School Presbyterian, and has not, except in unessential particulars, departed from the received doctrines. If he intentionally obscures, or fails to preach, the doctrines of grace mentioned, for example, in the fifth specification, I could not believe him sincere in his expression of adherence to these doctrines; but the evidence that should claim assent, on such a supposition, must be unambiguous. Now, the evidence is two-fold—first, negatively, he has been equivocal in his statements, and in certain sermons produced in Court, there is no positive avowal of these doctrines. In such a case, as regards doubtful statements, or unguarded statements, the law of evidence requires that the interpretation of the accused shall be received, unless it violently distorts the obvious meaning of the words. The explanations given by the defendant, are, it seems to me, admissible without such distortion; and, without defending such use of language as may make him liable to serious misapprehension. It seems to me where a doubt as to the meaning or construction exists, the defendant is entitled to the doubt. Again, as to the absence of avowals of the doctrines in question, in certain sermons, I have two remarks to offer. First, the absence of clear statement of doctrine on these points in the sermons in evidence, would not prove that he does not receive the Confession of Faith, as containing the system of doctrine taught in the Scriptures.

At this point, the prosecution makes a clear case, that having negatively raised the presumption that they do not exist, the burden of proof is shifted, and it is for the defense to prove that such doctrines can be found. This right requirement was met, as you will recollect, by the defense, not so fully, perhaps, as might have been desired, but to such an extent as to make it clear that the defendant does refer to the doctrines of grace, such as atonement, redemption, justification, the

divinity of Christ, and so on, in such terms as to give support to the claim made in his plea, that he has not, in these respects, departed from the doctrines of the Church—to give support, I say, on the supposition upon which I am always going, that he uses the words honestly.

Second, the positive teaching, as claimed in several specifications under the first charge, which, it is said, taken in its plain and obvious sense, is evidence that the defendant does not sincerely receive and adopt the Confession of Faith. If I were making a criticism, instead of giving an opinion, I might say that Professor Swing's preaching does not always have a plain and obvious sense. Of this character are some of the words in these specifications, and according to this rule of evidence, already referred to, we must call in the defendant to give a commentary on the words. Unable again to go into details, it must suffice to say, that many of these expressions have been, by the defendant, explained in such a way as to reduce their dimensions to the measure of commonplace or unquestioned fact; and while many of them must be regarded, I think, as unhappy, and calculated to mislead, they may be used by what Coleridge would call "the esemplastic faculty" by which they were originally constructed, and be so interpreted as not plainly to contravene the Confession of Faith. Thus the formidable statement that "Christianity is forced by our nature out of the spirit's rich depths," reappears again in the harmless and unchallenged idea that we have a religious nature. And "the gorgeous bloom of righteousness from the soil of faith," when the obscure and glittering robe is doffed, appears again in the familiar sentiment, that faith works by love and purifies the heart. I shall presently have another word to say on passages of this nature, and refer to them now for the special purpose of saying, that expressions of that kind, doubtful by their construction—for a metaphor is a very plastic kind of thing—whether explained by the defendant, or unexplained, still require us to put upon them the most favorable construction; and so judged, they do not make it clear to my mind that the defendant does not receive the Confession of Faith. I cannot here enter upon the question of liberty in the adoption of symbols which, indeed, to me does not seem important; the simple question is: does the defendant hold the standards as held by the Old and New School before the Reunion, and by the reunited church? It may, indeed, be granted that he has referred to some of these doctrines, in a way which, unless explained, is liable to grave objection, but not in such a way as to throw discredit upon his plea of orthodoxy in all essential points.

A word, now, concerning the first charge—that David Swing has not been zealous and faithful in maintaining the truths of the Gospel. While it is a difficult question to determine what degree or kind of unfaithfulness in a Presbyterian minister calls for judicial notice, there can be, I think, no question that certain things, if proven, would clearly be within that degree, and of that kind. The question before us is, are the allegations in the specifications of that nature, and have they been sustained by the evidence? We should ever keep, I think, clearly in mind the difference between ground for criticism or condemnation or censure, and judicial conviction for unfaithfulness. So, I think, some of these allegations, if sustained, do not constitute an offense in the technical sense of the term, while they might be a subject for serious admonition. In illustration of this statement, may be mentioned the fact, in the third specification, that Prof. Swing delivered a lecture in aid of a Unitarian Chapel. I would probably not deliver a lecture in such aid, and I would not justify the language of Prof. Swing where he defends his so doing, but the simple question for me to determine is, whether his having done so requires the judicial notice of this Court. Of a similar nature, is the language, in the same specification, used over the grave of Stuart Mill. Prof. Swing, in that sermon, has not attained unto the blunt emphasis of some of the literary magazines, in commenting upon the death of Mill from a moral and religious point of view. But does the sermon manifest a culpable disregard of essential doctrines? I cannot see that it does. In remarking upon the specifications in such a rapid mention as I will give them, I will mention those which allege positive errors of doctrine first. Upon some I have remarked under the second Charge, and I will not repeat the remark; they may all be covered sufficiently for this opinion by the following general statements.

The language objected to is in many

places obscure and liable to mislead. In some cases, a careful study of the connection relieves the obscurity entirely. In other cases, the defendant has explained his words at the expense of logic, if you choose, but his disclaimer of all meaning which would seem to involve error must be received when it is not plainly in the face of necessary laws of interpretation. In other cases, of sentences unexplained by the defendant, the favorable construction ought to prevail. In illustration: The words which seem to imply a phase of the doctrine of evolution, quoted in the seventh specification, have been explained by the defendant to have been intended by him only in that sense in which we all agree that the idea under the word "evolution" is time. Here is a sense in which the Mosaic economy is a progress and a very great and logical one. Here is a sense in which the Hebrew religion was a philosophy, and a sense in which Christianity was its immediate result to sweep away the iron Jupiter. Granted that there are unguarded words and only partial statements; yet, so far as it goes, and with the explanations that have been given, it does not seem to me to contravene the Confession of Faith. The same idea underlies the fifteenth specification in regard to Gift worship, and, as I may remark, it underlies a great deal of the defendant's preaching. These words, on first view, yielded to my mind a meaning out of natural harmony with the idea that God ordered sacrifices as a part of the worship of the Old Testament, typical of the Lord Jesus Christ; but as I read the connection, the language of the preacher is only elaborating his idea of the progress of religion from the outer to the inner, speaking on that human side, as in many other cases, so thoroughly as to seem for the time to put him in antagonism with the Divine. In the same sermon, he recognizes the relation of Solomon's sacrifice to a coming Calvary, and, though for that hour and especial purpose, he depresses that view until it only occasionally appears; and yet I cannot think he does not hold it.

A few words about those specifications, secondly, that are of a negative character—the first and second specifications averring the equivocal character of much of the defendant's preaching—the fact of that preaching causing doubts among his brethren, and causing him to be claimed by others not in sympathy with Evangelical doctrines, and averring, furthermore, that having his attention called to these Charges, the defendant has not taken pains to make his position clear—seems to me to be sustained as matters of fact. It is in evidence that the defendant has been misunderstood and widely claimed by persons not in sympathy with Evangelical religion. The facts being clear, the next logical question is, whether they are of the nature of evidence supporting the first Charge. A man may be misunderstood for one of two reasons; first, his mind or habits of expression, may be of such a character that unintentionally his words may be misconstrued. To this we are all more or less liable. Secondly, he may unintentionally equivocate, balancing his preaching on a compromise line between the Church and the world. If the latter were true, it would certainly sustain, and more than sustain, the charge of unfaithfulness, and would carry with it, of course, the moral integrity of the defendant. The defence at this point avers, in addition to the disclaimer of the defendant, and offers in proof, first, the sworn statements of the elders of the Fourth Church to the fact that the defendant does not so balance as to make his meaning doubtful to his hearers. Secondly, the defense offers in evidence certain sentiments which, in a plain sense, seem to be clear statements on a fundamental point, not probably what logicians would call a definition but a judgment—that is, not a full statement, but the truth taken for granted, and only partially outlined or explained. The prosecution avers that these statements, while admitting of a favorable construction, also admit of a construction in harmony with Unitarian theology—an argument which does not seem to me entirely conclusive, unless it were shown that the coincidence between Unitarian terminology and that of the defendant is not the fault of the Unitarians in using evangelical words in an unevangelical sense, but of Prof. Swing doing the same thing. In view of his statement that he uses these words in an evangelical sense, we seem to be required to put that sense upon them where they admit of it. The other explanation of the fact, that Prof. Swing is often misunderstood, is in the structure of his mind and habits of thought, which have been repeatedly referred to. The prosecutor, at this point, claims that he can fully and clearly state his meaning—a statement, I believe, not contravened by the de-

fense. In so far, then, as he fails to give a clear statement on vital points, his preaching may be defective. Is this a fault or a misfortune? Now, while it is a question of criticism, how far a minister should be held to a clear statement of doctrine, and how far doctrines may be supposed, or interwoven without being stated, I think no minister should allow his position to be widely misunderstood upon cardinal questions. Absolutely unequivocal statements may be held to be technically impossible, and beyond the power of man, but the question of loyalty to vital doctrines is so plain and urgent an issue, that a man should not, by his consent, be in doubtful case. It may not be that to be in such case is a matter for judicial finding in a church court, but it is also clear, that such a fact should be intolerable to every ambassador for Christ.

I wish to say here further, parenthetically, that I do not think the questions which we are deciding here are questions of schools of theology. In my mind it has no signification of that kind; and without right to speak for anybody, I am sure the issue has not been made by one School as against another. It grieves me to hear those words where they have already been heard too long. I claim no special unfairness in this case, but I do accord to either party the full meed of sincerity and Christian honor and Christian regard. I accord to Prof. Swing, freely and fully, a thorough Christian manhood, and a desire for the glory of God. As fully do I accord the same to Prof. Patton. I say, I think it has no significance of schools, but more jealously than the Presbyterian Church guards the differentiated features of Presbyterianism, does she regard the Cross of the Redeemer. Here she claims to give no uncertain sound. From the days of Calvin and Knox, her position has never been questioned. We draw daily nearer to all who hold the truth as it is in Jesus Christ—the truths of depravity, of atoning blood, and of faith in a Divine Saviour; and by all these common bonds we are marking, not obscurely, but as by a line of fire, our division from those who would take away our Lord, and so the heart of our Gospel. Liberal in all other relations, this is the bedrock where the Evangelical churches lock their hands and stand together. In so great a debate as that which agitates the world of Christian thought, every debater should make unchallenged his position. To reach that standing ground we should overleap all questions of personal dignity or pride; and I am constrained to say, Prof. Swing, gifted as few of our ministers are, and beloved for his Christian spirit, has a magnificent opportunity to vindicate the historic glory of the Church in such manful utterance of her doctrines as should forever make it impossible that those who are endeavoring to undermine these doctrines, and the essential truths of Christianity, should claim him as in substantial sympathy with themselves. May God make him equal to that occasion, and gather us all with new devotion around the doctrines of the Cross.

Rev. Mr. Trowbridge.—I have been charged with discourtesy, at the close of my remarks before the recess, in my reference to Dr. Spear. When a man is under pressure as we are here, in speaking, he must speak, with great rapidity, and leave out much he would like to say. Now, I would like to say two things. In the first place, I would never have made that allusion, had not the prosecutor left on my mind, and on the mind of many here, whether intentionally or not, the distinct impression, on Saturday last, that he was upheld, supported and countenanced in all this matter, by that honored name; the second is, sir, that I have the most incontestible proof of the assertion I made, and can produce it at any time, if necessary.

OPINION OF REV. ABBOTT E. KITTREDGE.

MR. MODERATOR: In forming my opinion upon the charges and specifications which have been made by the prosecutor against the accused, I have deemed it to be a necessity to a calm and impartial judgment studiously to avoid all partizanship during the progress of the trial, to refuse to be influenced by feelings even of personal friendship, and to shut out from my mind all facts and influences except the positive testimony which the prosecutor has laid before us and that which the defense has adduced to refute these serious charges—with but one desire, Mr. Moderator, to learn the truth. And, burdened as I know, very many, if not all of us are, with the solemn responsibility now resting upon us, I have formed my judgment carefully, impartially, and in prayer; and for our decisions we are answerable only to God.

Allow me, Mr. Moderator, to enter just here, my dissent from a brother who spoke this morning, on his statements or suspicions, "that this prosecution comes from a source behind Prof. Patton," namely, "from those who have never been in favor of Reunion," and that "it has been designed for some time to put some questions on points held by the former New School body, in test before an ecclesiastical court." No evidence of this nature has been brought before us, and no facts can be adduced from the history of the few years of our Reunion to substantiate such statements; and, besides all this, were the brother better acquainted with the prosecutor in this trial, he would know, as an unequivocal fact, that Prof. Patton, right or wrong, could not be moved or swayed by others to any steps contrary to his own convictions. He has believed, conscientiously, that the accused is in error, and accordingly has entered upon the prosecution of this case. He cannot be the tool or slave of any man, or set of men. I shall not discuss, Mr. Moderator, the questions regarding the history of the Presbyterian Church as related to the standards, or what liberty is allowed within her boundary lines in the definition of the doctrines involved in the trial, as these topics have already been profoundly discussed on both sides of this house. I shall also defer any opinion on the specifications separately, until the hour of voting on them has come. I desire simply to state, in as condensed a form as possible, the reasons why I cannot vote to sustain the charges of the prosecutor.

Prof. Swing is charged with denying, or not distinctly affirming, the grand fundamental doctrines of our Church. As regards the Confession of Faith surely no one will claim that he only is a sound Presbyterian preacher who subscribes to every word in that Confession, for as it is a human interpretation of divine teaching, it must be fallible, and it is at least unhappy in its formula concerning infants, and in my opinion, is too minute in its declarations regarding the secret counsel of God. For while election and predestination are not only doctrines of our Church, but philosophically must be true, I am willing for one, Mr. Moderator, to wait a little for the clearer vision of Eternity before I fully understand some of these mysteries, satisfied with the one sure promise, "Whoso cometh unto me, I will in no-wise cast out." Now, when I open the volume of Mr. Swing's sermons, I am compelled to read them with the presumption that he intends to preach Evangelical truth; for standing as he does, Mr. Moderator, in a Presbyterian pulpit with his ordination vows upon him, I assume that he is a faithful minister, and sound in the faith. The fact, therefore, that we find in these sermons many forms of statement which are also found in the sermons of Unitarian and Universalist divines, does not even suggest to me that Prof. Swing is a Unitarian or Universalist; for only by the most positive evidence of a disbelief in these Evangelical doctrines, can my presumption of his soundness be overthrown. I wish that he had stated the truth in clearer and more unmistakable language, yet by every principle of honor and justice, I am bound to construe his words in an evangelical sense, if it be possible. Having passed the most of my life in that city of the Puritans, Boston, which is the home of Unitarianism, I speak with some positiveness of assurance, when I say that the sermons of Mr. Swing do not read to me like Unitarian sermons. I find, brethren, a gospel thread running through them, and if *all* the words are not "dyed in the blood of Christ," as the prosecutor, and as I could wish, yet, to me, the blood seems to be there, and seems to be the fountain-head of all the human righteousness to which Mr. Swing is constantly pointing his hearers. In the sermon on "Faith," as well as in that upon "Good works," the preacher seems, like the Apostle James, to turn his spiritual artillery against one definite point, namely—human sinfulness, especially, as seen in professors of the religion of Christ; but in his desire to stimulate to good works, he fails to guard his language against a seeming disregard of the value of faith. But I do not see that he *denies* justification by faith, but, on the contrary, he seems to me to assume this great doctrine as the corner-stone of all religious life, and as the birth-place of all human righteousness.

On the subject of Inspiration, while expressions such as "inspired depravity" are unfortunate, and convey at first a wrong impression, yet Mr. Swing's explanation, especially in his letter to Dr. Junkin in *The Presbyterian*, have removed from my mind doubts which had arisen, and I can easily understand his position. The 109th psalm,

as I understood Mr. Swing, is an inspired psalm. He has not denied this, only he makes this distinction—namely, it was inspired for David and Israel for their *use*, but to us it is simply an inspired record, only historical, and practically by the love of God revealed in Christ. And so I understand him to say of the wars of Israel—that they were directed by God, and therefore were right *then*, but that such wars would be wicked for us to-day, and hence it is not to us an example, but, in its practical relationship, it is only an inspired history; just as the God of Sinai revealed himself to Israel in the terrors of the Mount, and to us, in these latter times, in the face of Jesus Christ; and hence Sinai's God, thus revealed in terrors, is not my revealed God, for over against the trembling mount of the Law, I place the sweet and precious blood-sprinkled mercy-seat.

While, therefore, Prof. Swing has not been, in my opinion, as guarded in language as he should have been, so as to avoid the appearance of shadowing with doubts any portion of God's Word, yet I see no evidence that he rejects any part of the Bible as uninspired. The fact of the peculiar character of his audience is to me an explanation of language which was not intended, I believe, to ridicule the Christian faith, but was an honest effort to explain its reasonableness, and to lead sinners to see their need of a Saviour. In addition to all this, Mr. Moderator, we have Mr. Swing's own declaration in the paper which he read before this body in the opening of the trial. There were expressions in that paper which I could wish had been omitted, but unless I have positive proof that he is a dishonest man, I must, in justice, do to my brother as I would wish to be done by. Loving and trusting him as a brother Presbyter, I must believe his plain, unequivocal statements, namely, that he holds the general creed of the former New School theologians, and that in his labors against skepticism and sin, his creed embraces the inspiration of the Holy Scriptures, the divinity of Christ, the office of Christ as a mediator, conversion by God's spirit, man's natural sinfulness, and the final separation of the righteous and the wicked, "using these words in the evangelical sense." Brethren, I can not go back of these words, and question his definition of "evangelical," unless I suspect his truthfulness; for I cannot conceive of utterances more evangelical than these.

And finally, my brethren, in forming my opinion, I cannot but consider, as of great weight, the testimony of the elders of the Fourth Presbyterian Church. True, they are prejudiced; but can we fail to honor them for their attachment to their pastor? Honoring, as I do, the office of an elder, I cannot but believe that these dear brethren are more prejudiced for God than for any one man, and that even their love for their pastor would not make them less jealous for the purity of the Church of Christ. They have sat under the preaching of our brother for many years; they have heard him in the more familiar utterances of the prayer-meeting, and in the hallowed atmosphere of the sacramental feast, when the heart must speak its truest and deepest convictions; and they bring to us their united testimony to his soundness of faith and his simple, warm love to Christ. I can not throw aside as of little weight this testimony; for if an entire board of elders can be thus deceived, where is there any protection in any church against the inroads of error?

Believing then, dear brethren, in the perfect sincerity of the prosecutor, and honoring him for his jealousy for the purity of the Church, and, desiring here, in this Presbytery, to enter my protest, for myself and for the church I represent, against any possible tendency to a fundamental departure from our Confession of Faith, and against all so-called Broad Church or Liberal doctrines, I have thus prayerfully formed my opinion that the two Charges are not sustained, and from the evidence brought before us, I cannot but believe that Prof. Swing stands with us all around Calvary's central cross and preaches salvation through Faith in that divine sacrifice.

OPINION OF REV. GLEN WOOD.

Mr. Moderator: I have but few words to say, in attempting to traverse the case which has been traversed so many times already. Agreeing with my brethren who have given their reasons, and pretty much for the reasons that have been so freely and fully given already, that the charges have not been sustained, I only want to lay before this Court one view, as explaining the reason why, it seems to me, that such a wide difference exists between the prosecutor and prosecuted in this case. The difficulty seems to

me to be one of misunderstanding; and this misunderstanding arises from the different attitudes of the parties, assuming the honor and integrity of the parties; although the accused is charged with holding one set of views, and preaching those views in reality, while by the artful use of words he deceives his hearers with the idea that he preaches in accordance with their views, and with the orthodox sentiments of the Church to which he belongs. It is clear to my mind that the difficulty arises from the fact that the prosecutor looks sharply and almost exclusively upon the divine side of the human existence of Christ, and the work of salvation, while, on the other hand, the mind and heart, and the work of the defendant, are in like manner almost exclusively occupied with the human side. Taught and led by the able Professor, we have seen the glory of God, as formulated and set forth in the creed of the Church, which creed he deems to be too nearly perfection to be improved by man. Viewing things from this standpoint, we see man brought into existence by the supreme will and power of Almighty God, exercised arbitrarily; or simply because God Almighty chose to create him, having no reason for it; and we are required to follow the course of human existence, and the dealings of God with man, from the same standpoint, through all experience. On the other hand, we see man created after the image and likeness of God, and thus made capable of both knowing and in some degree appreciating and enjoying God, and of being enjoyed by God. In the exercise of his own free will, upon which God, according to the plan of his being, and the government to be exercised over him, could not infringe—I am not afraid to say, sir, that there are some things God cannot do, although the formulated theology, I suppose, would censure me for saying it. Man, seduced by the subtleties of Satan, sinned; and, in sinning, he fell from his original righteousness, whatever that may have been, and from communion with God; and so he became dead in sin. According to the rigid construction of the language of the Confession of Faith, this ruin by sin extends to the constitutional, as well as to the moral character of the transgressor. According to that construction, sir, Adam ought to have ceased to be, as I suppose he was, a very fine man, beautiful in all his features, and to have become a very distorted, crippled, rheumatic fellow; which I do not believe at all. I think he was just as handsome and fair a man, and his wife just as pretty, after the fall, as before. Hence, men of one side, see nothing good whatever, in man after he had sinned; while, on the other side, such men as Professor Swing see even in the fallen man so much of worth, as to lead God, the Creator, to send forth His Son; and God the Son to come into the world and suffer ignominious death on the Cross for men "while they were yet in their sins"—totally depraved, or, as Mr. Shufeldt would have us understand, "absolutely, totally depraved." In the worst kind of depravity that you can make out of the fallen man, in that deep damnation of sin, God Almighty saw enough in men to think it worth while to take upon Himself the form of man in the person of the Lord Jesus Christ, and suffer and die that he might bring them up out of the horrible depths of total depravity, and make something out of them, fit for heaven, fit for the society of the angels, fit for the communion of God, and fit to enjoy God and to be enjoyed by Him. David Swing takes the standpoint of Jesus Christ, as I understand him, and looking over the masses of Chicago—but he looks a great deal further sometimes—and seeing them dead in sin and deserted by the churches—entering McVicker's theater, he proclaims to these totally depraved sinners, brought together by thousands to hear him, Jesus Christ and Him crucified, the Saviour and the only Saviour of their souls.

The Confession of Faith says: "All those whom God hath predestinated unto life, and those only, He is pleased to choose; and this effectual calling is of God's free grace alone;" leaving us to feel that God has given it by some supernatural way, with which alone He is acquainted; while Jesus Christ says to the disciples, "Go into the lanes and streets of the cities, and into the highways and hedges, and compel them to come in, that my house may be filled." Prof. Swing goes, in obedience to this command, before the gathered thousands who hang upon his lips, and proclaims as one called of God, and sent to preach the gospel to the Gentiles; and strikes both saint and sinner when he says: "It is the glory of the missionary centuries that they have inaugurated a religion which does not withdraw into a little circle

marked out by wealth, and ease, and selfishness, and there wait for a wicked world, and a neglected and unwelcome world, to come and beg to be let into the mercies of Christ, hidden by the cruelty of man; but a religion which issues forth from the disgraceful repose of past ages, and sings its hymn and offers a loving invitation out in the wide world, by every shore, under every sky." "Ready now is society for a Christ-like faith"—that is, a practical working faith—"that goes forth like the perfume of roses, free to child and king alike, a fragrance which climbs over walls and out of palace windows; and mounting into the chariot of the summer wind, crosses the field of the poor laborer, and the highway of the traveler, a breath from heaven, an emblem of God's grace." I cannot but say, sir, in my heart, God bless David Swing!—the preacher of the Gospel of Jesus Christ for ruined, fallen human nature, in which there is yet, nevertheless, something good, and so much that is good, and so much that is so good, that God Almighty was pleased to give His own Son from His bosom to die for them, that He might save what there is good of them, and make it all very good.

OPINION OF REV. L. H. REID.

MR. MODERATOR: I regard this trial as caused by, and growing out of, the idiosyncrasies of men. Prof. Swing is a poet; Prof. Patton is a theologian. Prof. Swing thinks deeply and brings out his thoughts under beautiful forms; he indulges very much in metaphor and simile; he must be understood in order to be appreciated, and it must be a loving heart that sits down to the criticism of his sermons. Those who hear him often, seem to know him best. Now I doubt, if Prof. Swing should make a hundred declarations, he would be able to make those declarations such that one who sought to find something objectionable there would fail to find it. That very declaration that he has made is said to be a repetition, in some of its particulars, of the offenses with which he is charged. Being a poet, he must speak in the language of poetry, and he must speak in accordance with the constitution of his own mind. A story is told of a minister who was given to exaggeration, and the brethren felt that he ought to be labored with, and so they went and told him what this great failing of his was. He heard them patiently, and then said: "Brethren, I know it is a great fault of mine, I have shed *barrels of tears* over this same infirmity." When Isaac Watts was a little boy it is said he was greatly given to rhyme. He was turning everything into jingle, and his father got tired of it, and one time he rebuked him, and told him he must put a stop to this rhyming. The little fellow looked up into his father's face and, said he:

> "Pray, father, do some pity take,
> And I will no more verses make."

You cannot take the poetry out of Prof. Swing. I believe he will always preach in the language of metaphor. He will draw his illustrations from the field of nature, and from classic history, he will preach out of the true culture that is given him and that the constitution of his mind compels him to preach out of and through. Now, I notice two or three of these points just for illustration. The Divinity of Christ. Just before my communion season in March, a gentleman of education, culture and refinement came to me and said. "I have been attending upon the preaching of Prof. Swing, and I feel that I have experienced this great change of conversion, and that it is time that I came into visible connection with some Christian church." He had graduated at college, he had studied law, he had become a civil engineer and attained some property, a man of high standing in society. He felt that it was time he connected himself with some Christian church, and as he was living in the neighborhood of my church, he said "I feel prepared to unite with your church, if I can come in honestly; but this doctrine of election," said he, "I am not sure about that; I want to understand more of what you hold;" and we sat down together, and talked over these matters for an hour, and we had interview after interview, and he became perfectly satisfied, and I became satisfied with the genuineness of that man's conversion, and at the next communion season, his wife came into the church on profession of her faith, and his children were baptized, and he is now a member of that church living in that part of the city. He may be here to-night, for all I know; I know he has been here in attendance on some of these sessions. Now, sir, how can I vote that the brother does not preach or teach the doctrine of the divinity of Christ, when this man

comes to me and says, that he has not only been led to the Saviour through Prof. Swing's teaching, and that he has been brought out of a dark skepticism—for he said, that when he was in college, he had read infidel books, and had come to settle down upon the belief that all he could do in this world was to be a good moral man, and that was all there was of it; but under the teaching of Prof. Swing, he had left his skepticism, and, what is more, he specified particularly the point of difficulty with which his mind has been exercised—that was the divinity of Christ. That was the great stumbling-block with him, and it was under this brother's teaching that he has come to acknowledge the divinity of Christ. Now, I cannot vote that our brother, the accused, does not teach that doctrine.

With regard to inspiration, as I understand Prof. Swing, and there seems nothing in the testimony to the contrary, he accepts the doctrine of plenary inspiration—the inspiration of the scriptures "from lid to lid," but he says there are certain portions of the Scriptures that are not of present practical importance and value. They were written for a special use, and they have had their day. Now I illustrate it this way—Here is a father who writes a letter to his son. On three pages, he covers that letter with kind counsel. He pours out his loving heart, he gives him rules of life, he writes as a father out of the fulness of his heart writes; but on the fourth page, he says—"By the way, my son, there is a picket off from the garden gate, that I want you to attend to; please nail on that picket," and signs his name. Now in later years, this son reads this letter; these kind counsels, these expressions of love are all of present value; but the picket on the fence was a particular request that he attended to at the time—the day for that has gone by. But the father wrote it just the same—the same hand and the same pen. The son does not, therefore, blot it out; he is willing it should be there as recalling something past; he does not deny that it is from his father, but he simply says, that was attended to in its day. Now, I understand Prof. Swing to say the same in regard to the Mosaic laws—the ceremonial laws—to say with regard to these, and with regard to the imprecatory psalms, that they were written for especial use; inspired, but they have had their application, and they are not of present value to us to be used now; and, as has been expressed, it is the eclecticism of use.

Now, if one of you brethren are to hold family worship, and have your family around you in the morning, you do not turn to Chronicles, and read a chapter there; but you read some sweet psalm, and you are not reflecting upon the character of the portion that you reject, or that you do not use at this time. You know of men who are looking for the coming of Christ—the Premillennarians, and some of these hold that in the millennium the penitential psalms will become obsolete. They say that in a state of holiness, when "holiness unto the Lord" is written upon the bells of the horses, these psalms of penitence will be inappropriate. They say, "why should one, when there is millennial holiness covering the earth—why should one say, 'Create in me a clean heart, Oh, God, and renew a right spirit within me'—'Purge me with hyssop'—and so on." Even the penitential psalms will have had their hour, but they are not denying that these are written with the pen of inspiration. So you see it comes to a simple matter of interpretation, and is not a question of divine authority.

OPINION OF REV. DR. JACOB POST.

Permit me, Moderator, to say a few words in behalf of a large portion of our foreign population. I will pass over a good many things which I should have wished to say, if the time had been given me, or if I had not given away some of my own time; but in behalf of the foreign element in this city, and especially those who have become Americanized and understand the English language, I dare say that Prof. Swing has not been understood as using vague and ambiguous language. We have been able to learn by his language, by his writings, and by his sermons, and especially by his sublime character and example, that he has been a zealous and faithful minister, maintaining the truths of the Gospel, while from the testimony rendered before this Presbytery we have become entirely convinced that he has been faithful and diligent in the exercise of the public duties of his office. Now, Mr. Moderator, if we, as foreign-born and yet naturalized citizens, can fully understand Mr. Swing, notwithstanding he has been accused

of ambiguous language, it seems strange to me that our American brethren have been unable to analyze his words and actions.

It seems to me, and to many of our Americanized citizens, that this trial has had, from the beginning, some other objects in view; I will not mention them now. Our foreign population, Mr. Moderator, have just commenced to love Brother Swing. In the past they have had a very improper idea of our church—(the Presbyterian church,) and I am very glad that there at least are two of us in this large city that preach to the foreigners in our beloved Zion. My dear brother Wisner can testify with me to the difficulty with which we have all struggled from day to day in teaching our foreign population, that our Presbyterian church does not teach the doctrines of despair. Brother Swing has been, perhaps unintentionally, or without his knowledge, a great help to us, as missionaries in this city. He has taken away many of the prejudices against our church from the minds of our emancipated or Americanized citizens. The teaching of many of our foreign churches, and especially the papers which are printed in the German language, picture before the mind of our people continually our beloved Zion as something terrific, fanatical and absurd. Mr. Moderator, we need just such a man, and such a preacher as Professor Swing in our days. Our foreign population bring with them to these shores all their prejudices, and their queer customs, and their strange doctrines, as well as their nerves and their virtues. They must be gained to our church by love, by gentleness, and by charity, and by the doctrines of good will towards all men. Prof. Swing possesses, in a high degree, the quality of bringing men of all tongues and nationalities, of all trades and professions, to see the beauty of holiness, as it is in the face of our Lord Jesus Christ. He, therefore, has been *to us*, as poor missionaries of the Cross, a great help in bringing our foreign population, or rather our foreign-born citizens, to a better understanding of the great truth, and the doctrines of our Church; many of them are going, and have gone a long time already to hear him, who formerly never would have entered a church on the Sabbath day, much less would they have come within the walls of a Presbyterian church. Some of them have told me: "If this is Presbyterianism, I am with you."

I only have a few more words to say. The children of these men who have been brought into our churches, are all filling our Sabbath schools, and we hope and trust that these children will adopt, in future times, our Westminster Catechism, and our Confession of Faith. Now, Mr. Moderator, I ask you, shall we cast out such a man as Prof. Swing from our midst, who, indeed, is the means, in God's hands, to overthrow atheism, and all the foreign infidelity brought to our shores? God forbid! I would, Mr. Moderator, that we all could preach the gospel in such a winning, loving way, and in such silvery words as Prof. Swing is able to do, by the grace of God, the Almighty. If it was needful in the sixteenth or seventeenth centuries that the people should be aroused by the thunders of the law, because their minds were held in bondage by ignorance and idolatry, in our days of progress and civilization, we need, besides the thunders of the law, first, and especially the spirit of charity and the spirit of wisdom, to conquer atheism and infidelity in all its terrible forms. I know very well, Mr. Moderator, that we, as poor foreign ministers, will be branded, hereafter, as rationalists, perhaps.

Rev. Mr. Wisner.—I guess he means me, too. I am a naturalized citizen of this country, and I do not endorse that.

Rev. Mr. Post.—Well, brother Wisner, there is no danger. I hope that our faith and our works will prove in the future what we are. I, for one, am convinced, Mr. Moderator, that if Luther and Calvin were alive to-day, and if they were sitting at that table, and the Augsburg Confession, and the Westminster Confession, were lying on the middle of that table, they would join hands together, and they would shake their venerable heads over this trial. I am sure they would take brother Swing in their arms, and would say, "God bless you, brother Swing; you are the right man in the right place."

OPINION OF THE REV. CHRISTIAN WISNER.

MR. MODERATOR: Just let me say one or two brief words upon this subject, indicating how I shall vote in this matter.

In regard to ambiguity of language which it is supposed Prof. Swing has used. I wish to say, that, in order to make a fair trial of that matter, having studied some languages,

I went to my study and took a sermon of my own, written in my own native language nine years ago, to see whether, in any way, I might be in danger, if somebody should get hold of that sermon to criticize it, of being arraigned before the Presbytery. I found, to my great astonishment, phraseology used in that sermon that I would not use now; and yet I know that my hearers, at that time, understood me as being a rather orthodox Presbyterian minister.

Now, I say about this ambiguity of language; that if we are going strictly upon that charge or the specifications bearing upon that point, I think we shall all be more or less liable to be brought into Court. I do not know how we can escape. Secondly, I wish to say that this feature of the trial at this time, strikes me very unpleasantly, because the nerve of it seems to be a very rigid construction of the Confession of Faith. Now, I have tried to preach to my German audience upon the subject of the too much conservative position of our old European churches, for instance, the Lutheran—in pressing down that church to the Augsburg Confession in its unadulterated form, as they say; thus, as it were, crippling the power of that church, and making that church to-day lose time and lose power with this present generation, in not going forward and putting things as the present century requires. Now, the Presbyterian Church has always been held by the German papers in this country as a sort of Ultramontane church, fanatically putting, as it were, its Westminster Confession above the Bible, and, therefore, they have a great motive and great force with the German people in arguing their infidelity against our church and against our gospel. Therefore, I could not vote upon this question in favor of a too rigid and literal construction of that Confession, but would be in favor of more liberty and greater charity, exactly that which is covered by the New School theology formerly; but I do not pretend to be a New School nor an Old School Presbyterian minister. I look at this thing from an objective point of view, just as the German mind would look at it; I do not believe there is anything New School or Old School in this matter necessarily. I have the best kind of feeling towards the prosecutor, as well as the accused; and I wish, when we get over this matter, although I shall vote most distinctly to clear and acquit Prof. Swing on every charge, and I do not know but under every specification, I wish to shake hands with the learned and able professor of theology in the Northwestern Seminary, as well as with the most eloquent and powerful Christian minister and preacher, the pastor of the Fourth Church; and I hope that all the brethren will do this thing, and let us have no alienation in any shape or manner. This church cannot afford, just now, in this age, to look upon minor points; but let us look far away from these minor points, to the Cross of Christ Jesus and perishing men around us; and when we get through, after these two weeks here of neglecting our labor, let us go out and preach the gospel, instead of talking about this matter for two years to come.

Now, let me say, that the Fourth Presbyterian church, of which the present arraigned minister is pastor, is now doing a great work on the North Side. All the foreign people who have had difficulty about the Presbyterian church, are getting more and more prepared to see that after all we are not such morose creatures and fanatics as it is often thought that Presbyterians and Congregationalists are. That Fourth Church sends up a carriage full, or an omnibus full of people every Sunday, to work in that German district on the North Side, to teach two hundred, or three hundred children the gospel of Jesus Christ; and they have opened a chapel, and they have sent clear out to Minnesota twice, to get me here to preach to the Germans; and there I am preaching to the Germans as I can gather them in; and they are doing more than any other church, perhaps, in this city, towards my support. Now I say this because the facts are thus in the case, and I shall vote to acquit Professor Swing in this matter, and I hope that we shall entertain the best feelings when we get through, and that, baptized from on high, with the Holy Ghost, we shall preach the gospel, and the Professor shall teach theology in the Seminary, to his heart's content.

OPINION OF REV. D. J. BURRELL.

MR. MODERATOR: I was absent when my name was first called, partly because I did not feel called upon to express an opinion, except such an opinion as would be expressed in my vote, and partly because I did not feel called upon to listen to abler opinions which

were neither evidence nor argument. I shall vote that some of the specifications have been sustained on the mere facts in the case, and I shall feel called upon to vote that, under the second Charge, Prof. Swing is not specially blameworthy; and that the first Charge is only in part sustained. I shall do this without any reference whatever to the expressions of opinion since the making up of this case, as I understand it; these opinions having been neither read nor listened to by myself.

OPINION OF REV. WILLIAM BROBSTON.

MR. MODERATOR: I am very sorry I was not here last night. I was obliged to leave because some of my family were not well; and attention to family affairs prevented me from being here at the time when it was proper for me to say a word.

I only want to say a word or two, to take up my five minutes—and perhaps I shall ask for a little more.

I must say, in the beginning of my remarks, that I have no prejudice against Prof. Swing. If he was in the house now, I could say, "I hail you, Prof. Swing, as an honest, and virtuous, and kind, and intelligent Christian gentleman." But when he is charged with holding that which is contrary to this book (the Confession of Faith) I must investigate the matter, and judge according to the Confession of Faith; and if the views of the accused are in harmony with what this book contains, then I am ready to say, before God and man, that they are right; and if they are contrary to what is found in this book, then I say they are wrong; and I would not care if the whole world knew I said they were wrong.

Mr. Moderator, I must stand by the Confession. I do not say that it is the veritable word of God; but I do say, before the Searcher of Hearts, that I honestly believe it does contain those doctrines which are founded upon the Word of God; and who can dispute this? No honest man, no true man,—can dispute that the Bible is indeed the Word of the living God, and given to us for our present and our future good, by men who were inspired by the Holy Ghost, to write his will, and make it known to the poor sinners in this house, and everywhere.

Now, I am very sorry to see that the drift of public opinion has been so much against the prosecutor in this case. I believe him to be an honest man; I believe him to be a capable man, and a man who knows what he is about; I believe that he wants to speak the truth, and that he has been cautious in regard to this proceeding against Prof. Swing. They have gone so far as to be personal—so far as to talk about his white neck-tie. I say, don't let us look at the man, but what *is* the man. Let us look and see what his conduct is, and not look at his white neck-tie. I don't believe in that way of looking at a man. We should look at the actions of a man, and at what he says, and at his motives, so far as we can ascertain them by his words and actions.

Now, Mr. Moderator, let me say a word or two in relation to this Confession of Faith of the Presbyterian Church. And, thank God, I am a member of the Presbyterian Church, and am not ashamed to tell it to the whole world. I don't care who knows it; for I think it is the most noble, and does more good than any other sect within the bounds of Christendom. Mr. Moderator, I don't mean any disrespect to our other brethren, because I think there are a great many good men in all denominations; but I believe our Church ought to be the best because it has the best system of doctrine.

Now, a great deal has been said about the Confession of Faith and its doctrines—*horrid* doctrines: we consign to everlasting destruction poor humanity—even those who are so weak and helpless that they don't know the right hand from the left. I don't believe in that.

How did this book come? The Westminster Assembly—and I hope every individual will listen to what I am going to read—consisted of one hundred and twenty-one divines, thirty laymen from England, and five commissioners from Scotland. It convened in 1643 by order of the British Parliament, in the celebrated Westminster Abbey. It consisted of Episcopalians, Independents or Congregationalists, and Presbyterians—the three principal denominations in Great Britain at that time. This Assembly was engaged more than five and a half years in discussing and preparing the Confession of Faith, the Larger and Shorter Catechisms, the Directory of Worship, and the Form of Church Government, which now form the Constitution of the Presbyterian Church in these United States. Are we ashamed of the origin of this book? For

one, I am not ashamed of it. I glory in it. The distinguished Richard Baxter, who was personally acquainted with the most of the members, though not himself one of them, says: "The divines there aggregated were men of eminent learning, godliness, ministerial ability and fidelity. As far as I am able to judge, by all history, there never has been a council of divines more worthy of respect than this." In 1648, the standards adopted by this Assembly were adopted by the General Assembly of the Church of Scotland. The Episcopal and Independent Churches of England did not adopt them, but their dissent did not relate to Scriptural doctrines, but only to Church government, and also—in the case of the Episcopalians—to the Directory of Worship. The Calvinistic creed was at that time the common belief of the Protestant Church throughout the world.

Now, Mr. Moderator, I have read and told you something in regard to the origin of this book. I thank the brethren for their indulgence. I did intend to say something more, but as my time has expired, and as I am a Presbyterian and shall be regulated in all things according to that book which is founded on the Word of God, I submit the floor.

OPINION OF ELDER JAMES OTIS.

I have but a word, Mr. Moderator, to say. I am the first one called upon to speak from the eldership. It is needless to say that I have watched the progress of this trial with great interest, and with deep solicitude. There have been words spoken here—too many words spoken—some of which ought not to have been spoken; some have been recalled, others have not been recalled. But a trial like this is calculated to draw out, in the heat of discussion, expressions and remarks which should not be made. This is one of the evils of this trial. There are many things which enter into this trial which have been very sad to me. I study peace in my religion and in my politics, if I have any; and I watched with great solicitude when I saw this trouble arising in the distance.

Now, I believe that these two brethren who are upon trial here, or rather the one that is accused, and the prosecutor, are both honest in their convictions. They have my regard and my sympathy, both of them. I thank God that we have got such men in our midst; I believe God will bless their talents, and they represent the feelings of our Church. They both represent our Confession of Faith. I believe it is big enough for both of them to stand upon it, and God will bless their labors. I cannot help but have respect for the prosecutor here, and the zealous care with which he watches the truths of the Church, its standards and its doctrines. I respect them and I love them. I sought the Presbyterian Church for its catechism and its creed. Now, I receive it in a liberal sense; I believe it is calculated for our country, for this republican government and Presbyterian Church. And I am aware that we are closely watched in all our movements. I am aware that this trial is not only taking place here in Chicago, but that anxious eyes and hearts in our distant and surrounding cities, are watching every word that is said here. I hope, though, that this trial will be confined here to our own family and in our own city; that is my desire; let it not go away. I think we can handle it and manage it, if we are honest in our convictions and our desire to do justice to both sides here.

Now, I think it is not fully understood; the motives that enter into this trial; the motives back of the prosecutor in bringing this case before the Presbytery. I believe they were honest. He is a strict constructionist. He has lately come to this Presbytery, and we have received him into this Presbytery with great respect. We respect his talent; we honor it, and we hope and trust God will bless that talent. As an editor of the paper which we look upon with interest; which we have given our money to sustain; I was in hopes that he would be allowed a healthy and vigorous criticism of anything that he saw in our Church or any other. I was satisfied, and hoped that that might be tolerated. I so expressed to him, that I believed it was the function of an editor to criticize even his own brethren, if their doctrines, if their style, and if their expression did not meet his views; but there are some things which have not been stated here, which I know of. The Prosecutor, as I understand, was satisfied with that criticism, which I think he had a right to make; some of his zealous brethren differed with him, and instead of criticising the sermon

they thought he must bring Charges. Now, to bring Charges against a brother minister is rather a serious thing; but he was rather compelled to bring Charges. He has brought them here. Now, I personally had an interview with both of these brethren. I wanted the thing settled; I wanted to keep these differences of opinion, as it were, in our own family, and not expose them to the public; but the trial has gone on step by step. I think we are all convinced that the virtues, that the eloquence, and even the theology of Prof. Swing have been pretty well established. Now, I said on the start, that I respected and loved both these men; I admire and love Prof. Swing; I always have, from the time he came to this city. I hold him up as an example of a powerful preacher, and one who is calculated to reach the masses. I believe he stands upon our Confession of Faith. I believe he is a true Presbyterian. I have always felt so; but while I state this fact, I want you to know there are some that have some doubts as to the soundness of Prof. Swing's theology. I want you to know that I am not of that number, I know Prof. Swing.

Now, in justice to the prosecution here, it is right for me to state what I know; that there are a good many in our surrounding country, honest ministers and honest elders, who have their doubts as to the theology of Professor Swing. I hope that this prosecution, opening up this subject, will enlighten them. That is my hope and trust. Now, I make these remarks that no unjust stigma or reproach may be brought against the prosecutor in this case. His talents have shown here to good advantage.

OPINION OF ELDER J. M. HORTON.

I have very little to say in regard to the question, but, I desire to look at it, rather from the common-sense stand point of business men, than from the point at which it has been viewed through this entire day. We have had a great many theories; we have had a great many very fine speeches, but we have had comparatively very little reference to the evidence. I desire to refer to it on only one point.

My own views, I will say, at the commencement of this trial, derived from reading the sermons of Professor Swing, which were put in here as documentary evidence, were to the effect that he was not sound in doctrine according to the Presbyterian standard. And if you ask me by what standard I judge him, I would simply say that for the last eight years I have sat, for a portion of the time, under the preaching of the Rev. Dr. Swazey, another portion of the time under that of Mr. Noyes, the counsel for the defense, and a portion under that of Mr. Kittredge; judging from these standards, these sermons don't seem to me to be sound in doctrine; though I am no theologian, I desire to give you now a view, which will be taken by most ordinary men throughout the country, by the laity, and by thousands and tens of thousands who read these sermons; I believe that will be the general impression, that there are points in which he does not conform to the standards of the Presbyterian church. Let it be admitted that he is a good man and is doing a good work, and a great work, still he is not sound as a Presbyterian; that was the conviction with which I came to this Court. At the outset, I stated to some of my friends, that if Professor Swing would come into court, and make an open, and full, and frank avowal of his adherence to the standards, I would consider it all right. Well, he came and made that avowal, and I supposed that was sufficient, but the prosecution took up that avowal, item by item; and if he did not prove conclusively, he certainly made a very strong case from the writings of the Professor himself, to show that he did not convey the same idea by these sermons which is ordinarily received by Presbyterians; that he meant something different from the terms, as they are ordinarily used by Presbyterians.

Well, there have been arguments brought since that time upon the opposite side, that have not to my mind controverted Professor Patton's proof, as it was introduced, and this documentary evidence. Now, what I want to point out, is simply this—looking at it, as a business man, from a common-sense view. Prof. Swing came upon this floor again afterwards, and we have spent this entire day in endeavoring to prove what the professor did mean. Now, I hold, he is the best commentator on his own views; he is the best man to explain his own writings. Now, when he came on the floor the second time, why didn't he say one word that would settle this question definitely and for all time? Why did he let the views of Prof. Pat-

ton go forth to the world and never strive to controvert them, when, to my mind, he could have settled the question for all others? —and I should have been glad he should have done so. But he didn't do it. Now, all I have got to say about it is, that the fact that he didn't do it, strengthened my conviction that he does not sincerely adopt the standards of our church. I don't consider him a bad man for all that.

My views have been better expressed by Prof. Halsey this morning, than I could do it, and I will not try to improve upon it. There is one thing more I would desire to say; it may have been observed by some of you that my pastor (Mr. Kittredge) and myself are keeping opposite views in regard to this question. That proves the liberality of our church. His views are correct undoubtedly to him, and mine are to me; but allow me to say that, with the exception of this difference, there is no difference of views between my pastor and myself; and I wish to reiterate the statement that he made, that our pastor and our people are a perfect unit against anything that looks towards broad churchism. We plant ourselves squarely across the track of liberalism, and say: "Thus far shalt thou go and no farther;" while, at the same time, we open the door wide to the whole world, and say: "Come into the Third Presbyterian Church, if you will come in according to the standards."

OPINION OF ELDER O. H. LEE.

MR. MODERATOR: I had a good long speech prepared on this subject, but, I am very happy to say that the ten-minutes rule has rendered it entirely unnecessary; I have just laid it aside in a drawer where I keep my last year's almanacs. I don't want that speech on this occasion, because I shall keep it over until the next case comes along; for I am told that this is but the prelude of the grand drama that is to follow. Whether that may be so or not, I do not know.

I do not desire to go over this field, and I cannot do it in ten minutes. The whole has been ploughed and cross-ploughed, and furrowed and cross-furrowed until every portion of it, I believe, has been fully turned over, except one little corner where I stand, —that is the eleventh specification. No one has paid the least attention to it, except the prosecutor; he did not forget it. That, sir, contains an allegation or insinuation against the pastor of the church to which I belong, which deeply affects me, as one of the officers of that church, and which affects every member of that church.

Now, what is that allegation? It seems that Prof. Patton, in his extensive reading, found among the expressions which Prof. Swing uses in some sermons, these unfortunate words: Prof. Swing causally made this remark—he was not preaching upon baptism—that was not the topic of the sermon at all, but he called baptism a "beautiful form" of our Church. These two words were sufficient, sir, on which to erect a great towering specification. Specification eleven rests entirely upon that little apex; that immense pyramid is upside down and resting on those two unfortunate words.

Now, I have always thought that baptism *was* a beautiful form of our Church. But that is not the worst of it. The prosecutor, in his speech, went on for a long time, and drew from that expression the inference that baptism was not only derided by Prof. Swing, sneered at and neglected, but, that he did not believe in it. Now, sir, that is a mere question of fact. Where on earth the prosecutor could have got that information is a perfect mystery to me. Certainly he could not have got it from Laird Collier; my own opinion is that it came from Penelope and Socrates.

What are the facts in the case? If he had come to me, or any one of those two hundred members of that congregation, he would have found the fact to be that Prof. Swing reveres, loves and cherishes that sacrament of our Church, as much as even the theology itself; and there has never been any occasion where it has been omitted or not observed. I can place my hands on three Christian brethren in this audience, and perhaps more, to whom Prof. Swing has come and pointed out to them the duty of presenting their young children to God in the beautiful form of Christian baptism. I know these facts; I can carry my mind back, sir, and I can remember when over ten young infants at one time had the seal of the covenant placed upon their young brows, and were given to God in the name of Jesus Christ and the Holy Spirit. And, sir, all along through his ministry he has been faithful in that one observance, as you can easily ascertain by

referring to any of the members of that church.

Now, sir, look at the circumstances of our church. For two years and more we were houseless and homeless, not only in regard to a church, but in our domestic relations. The fire on the North Side scattered our entire congregation, and there was not a single member of the church, so far as I recollect, on the North Side, who had a house to shelter him. Now, just as soon, and even before, the ashes grew cold, Elder King came and re-erected his shattered house, and he threw open his parlor to make a Bethel for the worship of the living God, and here our stricken and scattered members were gathered every week, offering to God the incense of their praise, and other members were received into our church. There young children were baptized, and there the Communion was observed, and all the ordinances of God's House were kept up in perfect regularity. The outside world didn't know this; all they knew of the Fourth church was that Prof. Swing, every sabbath day, was preaching in McVicker's Theatre; and those outside critics who gave us this information about Prof. Swing's views about baptism had no knowledge of our internal life.

We have only had a church for six months—since the first of January. We are just beginning to gather around it to establish the ordinances of God's House in their appropriate place. Now, I do say that any Christian man that could put his pen to paper and make such an allegation as that, ought to be ashamed of himself; and if human blood ever tinges the cheek with shame, it ought to mantle his cheek. I speak with a good deal of feeling, because I feel that an outrage has been committed, not only upon the pastor of this church, but upon the whole membership of the church. To say that Prof. Swing neglects one of the most important ordinances of religion, is a calumny that ought to be apologized for, for it is utterly false; that is the reason I repel this insinuation.

Now, sir, I have not got much more to say; I will only say that our church loves our pastor; for we know him, and we rally around him with perfect unanimity, and, sir, we intend to occupy that position. He is a kind-hearted, loving man, as well as a faithful pastor. He visits our families; he comes and he baptizes our children. He marries the hearts that love each other. He visits our sick; his gentle hands wipe the death-damp from the dying, and the words of tenderness, consolation and comfort fall from his lips upon bereaved and stricken hearts We know all this. It is part of our experience of his ministry; but I am only speaking for myself, when I say that, although you may have the power, as a judicatory, to tell this gentle heart that you don't want his communion, that he had better leave you, that his Presbyterianism is not quite good enough for you; you can say all this; he will not insist on remaining inside of your bond; but he never will stop preaching the gospel of Jesus Christ. He never will stop while God gives him breath enough to speak, or to warn the erring, to enlighten the skeptic, and to win the sinful to Jesus Christ, wherever he may be. His splendid talent, his warm heart, and his glorious abilities, will be devoted to the services of his Divine Master wherever he is. His work will be done successfully, and numerous trophies of redeeming love will be won by his enticing words and by his faithful ministrations. This is the man, sir, that you can repel. It will need but the push of an infant to send him across that narrow boundary that separates this Presbyterian Church from the broader and grander and more glorious platform, namely, the Christianity that Jesus Christ himself founded.

I can only speak for myself on this matter; but if he goes, I shall say to him as Ruth did; I shall take his hand and say: "Where thou goest, I will go; thy people shall be my people, and thy God shall be my God."

OPINION OF ELDER J. EDWARDS FAY.

MR. MODERATOR: I desire to say in the outset, that I have no sympathy whatever with these allegations which ascribe unworthy motives to the prosecution of this case; that, so far as my judgment goes, from the observation I have been able to give to this trial—and I believe I have been present during the whole of the evidence and of the arguments—it appears to my mind, that there has been the highest integrity of purpose, and that this prosecution has been conducted with courtesy and with a propriety that has brought forth from the

press encomiums which are entirely different from what we heard when this prosecution commenced in regard to it. Only once, I believe, has anything been done which transcended in any degree the bounds of decorum; and then, we all have in our minds the courtesy and beauty with which that was retracted.

Now, sir, it is perfectly natural for me, as would be well known to those who know me best, to be of the opinion, that this case must be judged by the law and the evidence; but, sir, at this late hour, I only propose to speak of a few of the principles of law, and to speak of a few of their applications to the evidence as taken in connection with these principles, which occur to my mind at this time.

In the first place, with regard to the presumption to be allowed in regard to the accused. The accused, as I understand this matter, stands in a position analogous to a person who has violated a law, to which there is attached a penalty, and that the presumption to be taken in his favor is a presumption of innocence, such that the proof must be beyond all reasonable doubt in order to sustain the charge.

Now, I apprehend that this Court is further governed by those principles and rules which pertain somewhat to our chancery practice in civil courts. In that there is a wide latitude of evidence given, even wider than that which obtains in the hearing in chancery cases. Now, taking these two principles to control our action in this case; it, of course, would have been much more satisfactory to very many of us, if we could have had a categorical answer to the points, and to the questions which have been raised, from the accused in this case. But, it seems to me that taking this in connection with the rules laid down in the Digest of the Craighead case and the Barnes case, to which reference has been made, and both of which I have studied with some attention, it seems to me, that taking these rules of the civil law, and those rules which obtain in all courts, and the precedents given us by those two cases in our Digest, that when we come to this declaration which occurs in the answer in which the accused declares that he holds the general creed, as rendered by New School theologians, that we are to take that with the utmost presumption in his favor, that we are to take that as including all that it is necessary to include by way of admission on his part, in order to meet these; and I regard the doctrines which he has laid down afterwards, not as modifying this expression, but as addenda thereto.

Sir, it seems to me that taking the admission he has made, and the explanation he has made in regard to many points in the specifications—I will not take time at this late hour, and go over them and illustrate, but, it seems to me, taking these things and this answer in connection with this explanation, that we can decide this case but one way; and it does appear to me that there is a more important principle involved here than just the satisfaction of some single idea. Why, I remember that in an adjoining State, in a civil case, a question was raised in regard to a matter which widely affected public policy—a policy which had been changed in the course of a generation by circumstances, so that in the opinion of the court it was necessary for the public good that the former adjudication should be directly overruled; and that was done on that principle.

It seems to me that, governing this case by principles of equity, and by principles of the largest justice towards the Church and towards humanity, we are to apply these principles, which I have laid down; to take the evidence as we have had it before us, in connection therewith; and taking them in that way, that we can but find one decision in this case; that to do otherwise, would characterize our decision with the darkness and shadows of the night of sacrifice of Calvary; that to give them the other view is but a sort of looking forward, as it were, to the glories of the resurrection morning, which consists in Faith, Hope and Charity.

OPINION OF ELDER FRANCIS A. RIDDLE.

MR MODERATOR: The respondent at the bar of this court is charged,

1. With not being faithful as a minister in the discharge of his public duties, and with lacking fidelity and zeal in maintaining the truths of the gospel; and

2. With not receiving and adopting the Confession of Faith of the Presbyterian Church, as containing the system of doctrine taught in the Scriptures.

It would scarcely be possible to make accusations more general than these laid against Professor Swing, by the prosecutor in this case. When we reflect upon the weakness

of humanity, and remember that all men, whether bishops or laymen, are, to a greater or less degree, lacking in faithfulness, and are all more or less wanting in zeal and diligence in the discharge of any and all the varied duties of human life, we comprehend at once what innumerable delinquencies may be included under the first of these charges.

It is apparent, from the long list of specifications, under Charge I. that the design of its author was to make it broad enough to comprehend every ministerial act, and word, and uttered thought of the accused, and to enable the prosecutor to criticise and measure, by strict and invariable rule, any and every slight deviation of the defendant from an assumed standard of what is or is not faithfulness, or zeal, or diligence, in the ministry.

Under this broad accusation are specified as departures from the standard of the prosecutor, almost every false doctrine or opinion common to men of every shade and color, or latitude of belief. The whole range of human frailty, so far as it affects the mind and heart, has been traversed by the accuser, and wherever he has been able to detect a single mistake, whether in word, or thought, or deed, and even where he has been able to *surmise* wrong intention on the part of his accused brother, he has spread them out before us in long and solemn array, in order that he might be able to sustain a grave charge, of which all men, without respect to their high calling, are guilty or innocent in degree.

With this evident fact before him, the prosecutor has labored with all his power and might to prove the defendant guilty of all the specifications under both the charges. No effort of the accuser has been spared to convict the accused of the worst form of guilt under all these alleged offenses.

Not only have the *public* acts and utterances of Professor Swing been laid before this body in detail, but the privacy of friendly and confidential relations has been invaded with a spirit akin to that of the devotees of the Spanish Inquisition. No link possible to be procured, which the prosecutor thought necessary to complete the chain of testimony in proof of the defendant's guilt, has been omitted. No argument which the ingenuity of the accuser could bring to bear has been left unspoken. Every scheme, or device which his cunning, or skill, or vigilance could invent or suggest, has been urged upon this Court with all the force and industry, and with all the ability at his command, in order to maintain the truth of the accusations he has made. His energy and zeal in this respect have, at times, seemed to spring from an intense desire to secure the conviction of the accused, rather than to aid the judicatory in ascertaining the truth of these charges. Every liberty and privilege consistent with the dignity of this Court and the rights of the defendant, have been accorded to him.

And now, however unwelcome the task, we must pronounce our judgment upon the guilt or innocence of the respondent.

In discharging this duty, let us bear in mind that we must base our decision upon the evidence submitted to us, and not upon the arguments or deductions of the prosecutor; nor upon those of the defense, except so far as the statements of the accused are explanatory of the matter charged against him. Let us remember, also, that he who charges an offense upon his brother, must bring proof to sustain the accusation *beyond a reasonable doubt.* The burden of this proof also rests upon the accuser.

These are maxims in law, where an offense is charged against the laws of the State; and no one can reasonably question their force and justice in determining an offense against the Church.

The evidence relied upon by the prosecutor to make proof of his charges, consists in part of printed sermons or essays, and in part of the testimony of living witnesses. The greater part of the testimony, and that upon which the accuser has most strongly relied, consists in the sermons or essays, written or spoken, by the accused.

I take it for granted that no member of this Court can raise a question as to the legitimate effect of the oral testimony produced before us on this trial. If there was no other testimony in the case we could not long hesitate to pronounce the defendant innocent of all the offenses charged. Because the effect of this parol testimony has been to establish in my mind, beyond cavil or doubt, the fact of the entire fidelity, zeal and diligence of Prof. Swing as a minister of the Gospel.

Upon the printed sermons offered in evidence as proof of these various offenses, the judgment of this Court must, practically, be

based—that is, on the teachings of these sermons. I can only speak as a layman, with little knowledge of technical theology, and little acquaintance with the philosophy of religion. These sermons, taken in their ordinary and obvious import, would never have raised in my own mind the suspicion that the accused was teaching or preaching false doctrines in respect to the Christian religion; or that the accused was not faithful, zealous and diligent in maintaining the truths of the Gospel, understood by the Presbyterian Church *as evangelical*. It seems to me this must be the reasonable judgment of every fair-minded, unprejudiced and charitable man. What any man, who has read these sermons and essays for the purpose of detecting errors in doctrine, ambiguity of expression, or latent equivocation of sentiment has been able to discover, I do not care. What I do maintain is, that these published discourses, taken in their natural and evident and reasonable import, leaving out of view the strict rules of technical theology and the dogmatism of religious science, do teach the everlasting truths of the Gospel.

It may be true that these sermons do not abound with wild speculation about predestination or free will. It may be true that Prof. Swing, in trying to persuade all men into the Kingdom of Heaven, has not laid bare the inscrutable decrees of God, nor even tried to make *public* the *secret* will of the Almighty; nor has he sought by aid of the stern rules of logic to show that "elect infants dying in infancy are regenerated and saved by Christ through the spirit, who worketh when and where and how he pleaseth." All these doctrines, however true and however divine they are, may be taught in these sermons very indefinitely. But is this such an offense as to warrant us in branding our accused brother as an unfaithful minister of the Word of God, and as lacking in zeal in maintaining the truths of the Gospel? Are predestination and decrees and election the only, or the chief doctrines of the Presbyterian Church? Is it true, as the prosecutor has said in his argument, that predestination is the corner-stone upon which our Church is built, and that if that be omitted the Presbyterian Church shall crumble and fall? Is it true that Aristotle and not Jesus Christ is to be the law of wisdom? I have been taught in my innocence to believe that our Church had for its foundation the Rock of Ages, and that this eternal base was the sure support of every part of this grand and honored structure. I have been taught, even in the Presbyterian Church, that the great want of fallen man was, not to be troubled and perplexed with the "high mystery of predestination and decrees and perseverance," but to be *fully persuaded*, by words of love, that the salvation of Christ was freely offered to all men, and then to be led, even through tears of sorrow and penitence, to the Rock that is higher than man.

My judgment about these sermons is, brethren, that by a fair and candid interpretation they teach the Gospel of God as it was revealed to man through Jesus Christ, His Son; that by a fair and candid construction we find in them the sweet spirit of a loving Saviour; that if we had heard them with prayerful attention as they came fresh from an honest heart, we would have recognized the voice of our Divine Master calling upon "all men everywhere to repent." I do not believe these sermons teach false and pernicious doctrines respecting the central truths of Christianity. I do not believe that these sermons and essays cited in the specifications under Charge first, when fairly read, convict the accused of being unfaithful as a minister of the Gospel in the Presbyterian Church; and, so believing, I cannot conscientiously sustain that Charge. To do so would, in my opinion, do violence to every principle of fair and candid criticism and interpretation; and, moreover, it would be fastening upon the accused opinions which he disavows, and finding him guilty of an offense alleged in many of these specifications to be only the consequence drawn from the utterances of the accused by the accuser.

For this Court to say that these sermons teach heresy and false doctrine, would be in effect to say that no minister in our Church may question the conclusions of the past; that no minister shall attempt to find the reasons for the faith that is in him, or seek by the spirit of fair and honest inquiry to make lighter the shadows of the great Future. Such a sentence by this Court would be to discourage free investigation into the source of all knowledge; restrain the liberty of mind and impede the progress of free thought. Such a judgment would tend to disparage any effort or struggle after higher and clearer conceptions of religious truth than the world now holds, and discounten-

ance all attempts to harmonize the laws and facts of science with the laws and facts of God, and to render aimless and useless any desire in the heart to verify the discoveries of the soul and mind by the revelation of God to man. It would tend to stifle every rising conviction of the soul about things not already settled, no matter how honest it might be, by threats and penalties. It would be saying to a world eager in its thirst for a surer knowledge of all things, that we, as representative men of the Church to which we belong, living in the midst of a civilization, the blaze of whose glory is but just kindled, have wisdom for all time, and have no need of further inquiry into the wide fields of eternal Truth. We cannot stultify ourselves by a judgment like this. Find the accused guilty and you say, so far as you have power, to the men whom you have appointed to minister to the infinite wants and demands of the soul, "you must settle all the questions and doubts of those who lean upon you for that which gives life and light to the mind, by assuring them that the book of knowledge is now sealed, and that by command of the Church the way of truth has been lost, or forever obscured by the mistakes and heresies of the past."

I cannot sustain the accusations, because to do so would be to foster and encourage that spirit of priestly bigotry and intolerance which makes doubt a crime and threatens inquiry with its wrath.

I would not deny the value of that monkish spirit which looks only backward for the truth. Such men achieve great good for their race by gathering up and preserving whatever has been found to be good and true in the past. But let not such an one, as he turns from the past and approaches toward the light and freshness of the present, be startled with alarm as his mind's eye falls for the first time upon the "Truths for To-Day."

I cannot find Prof. Swing guilty upon the second Charge, because it is not the prerogative of man to judge his brother's heart. Believing the accused innocent on both these charges, I also trust that in the time to come, even the prosecutor, when the fervor of youth has been calmed by the riper experience of mature years, and when his heart has been mellowed by that charity "which thinketh no evil," will yet discover in his maligned brother a man honored by God in the ministry of the Word of Life.

The Presbytery then adjourned, with prayer, until 9:30 A. M. May 20, 1874.

WEDNESDAY, May 20, 9:30 A. M.

The Presbytery met, and was opened with prayer by the Moderator.

Expressions of opinion were continued, as follows:

OPINION OF ELDER S. B. WILLIAMS.

MR. MODERATOR: I had made a memorandum of some points to be noticed, but the ground has been so entirely covered that it is, perhaps, unnecessary to go over them. Besides, I have given away half of my time. I desire to make only two simple statements explanatory of my position.

The intimation has been frequently made on this floor, and also through the public prints, by communicated articles, that this case was prejudged largely. I desire, speaking for myself only—although I presume there are many others in the same position—to deny any such intimation entirely. When we entered upon the sittings of this Presbytery, if I was prejudiced at all, I was prejudiced in favor of the prosecution. I had not heard Prof. Swing preach for many years. I had not been in the habit of reading his sermons. I had been in the habit of reading the *Interior*, supposing, until recently, that it was a sound Presbyterian paper, and believing that it was my duty as a good Presbyterian, as I considered myself, to support our local paper and to read it. So you will see that my nutriment has been largely drawn from Prof. Patton. For two days and a half, or three days, I had still that bias. As the evidence on the side of the prosecution was developed, I became possessed with this idea—which I still hold—and it has been deepened day by day—that this prosecution was commenced, not from the fact that the prosecutor had read largely Prof. Swing's works, and finding heresy wide-spread through them, felt compelled to the position which he has taken; but I was satisfied that this prosecution—in my own mind, of course: I speak only for myself—had been commenced with the intention to convict Prof. Swing; and that the prosecutor, starting with that intention, had culled from the works of the accused such portions—garbled in almost every case—as it was thought would tend to convict him. Happily, in my opinion, this prosecution has

failed most decidedly in such effort. Then, sir, finding that I was getting that impression, I determined that I would not be influenced by any arguments on either side, except so far as they were connected with the giving of testimony. I have held to that intention. I have listened to the arguments with interest and the speeches that have been made—as arguments and as speeches; but my convictions on this matter are entirely upon the evidence, looked upon, not from any theological standpoint, but simply in a matter of fact way.

I make this statement for myself, as disclaiming entirely any prejudice, to show that if I had any prejudice at the commencement, it was on the side of the prosecution.

One other fact, as it stands before my mind, I desire to present; and that is, that whatever the disclaimers may be, in my opinion, this whole prosecution is founded on the old issues of Old and New School Presbyterianism. I consider it not as a personal attack upon Professor Swing, as Professor Swing. I consider it not entirely as an attack upon him as a Presbyterian minister; but I do consider it as an attack upon him as an objective point for the opening of the old issues. That opinion I shall continue to hold. I have not seen anything to change my mind in regard to it—neither in the evidence for the prosecution and defense, nor in the arguments that followed on both sides.

I have nothing further to say, except to thank the prosecution for their efforts in my behalf, in proving to me the doctrinal soundness of Professor Swing! I am happy to say —for it is the solemn conviction of my heart that it is a happy position to be in—that in the presentation of the utterances of Professor Swing, I have been led to admire the man as I never did before, and have come to have a stronger faith in him, not only as a Christian minister, but as an orthodox Presbyterian, as I understand Presbyterianism: and I read the *Interior*.

OPINION OF ELDER D. R. HOLT.

MR. MODERATOR: I have listened attentively, and I trust, without prejudice, to the evidence and arguments in this case; yet I cannot say that I did not lean to either side, but rather found myself leaning strongly to both sides; so that it was somewhat doubtful with me, up to the time of the final closing of the argument, on Saturday night, which way my judgment would fall; and deeming *that* a proper time to arrive at a just decision upon the merits of the case, rather than to wait to be influenced by the expression of opinion by others, I made up this judgment at that time.

Believing, as I do, that the great tendency of the present time is towards what is called a more liberal interpretation of the standards of the Church and of the Word of God, and having a fear lest the tide that has thus arisen may increase to such proportions as to endanger the whole bulwark of Christianity, I have found myself impelled to the necessity of standing more firmly by the old standards; but not with the view or desire to prevent real progress; lest, in trying to dam up the current, we find ourselves in the condition of the great Massachusetts reservoir—all swept away when the freshet subsides.

With these views, I incline to range myself with those who are willing to bear the burdens, if the flood of liberalism should roll heavily over them, firmly believing that an overruling Providence has a place for all of His creatures; and while all are not for the same place, yet all are important in their own sphere.

And now, Mr. Moderator, although viewing the case before us from that standpoint, I have been led irresistibly to the conclusion that to convict the accused of the crime with which he is charged, I must first assume that he is an adroit and willful deceiver; which position, from all the evidence and arguments presented, I am entirely unwilling to assume. On the contrary, I am fully satisfied that he is thoroughly honest and sincere in his endeavors to teach evangelical doctrines, however much my own views may differ from his, as to the expediency of his manner of presenting the truth; and with these opinions, I cannot vote to sustain either the specifications or the charges.

OPINION OF ELDER R. E. BARBER.

MR. MODERATOR:—I came to this court entirely unbiased and unprejudiced towards either of the parties, but with predilections favorable to the prosecutor, who had preached to us, in our vacation, to our great edification; whose ability we greatly esteemed, and

whose Christian spirit we admired. I have endeavored to keep myself in this unprejudiced position during all the proceedings of this trial, and I feel in my conscience that the conclusion I come to is from that standpoint. Limited time requires limited words; therefore I have written what I have to say.

Prof. Patton stated that his only motive in this case was the service of his Master in the cause of truth. We believe him because he said so; in that spirit we come to our duty.

The just judge must be blind to parties, dead to friendship, and callous to partiality and prejudice. The law and the evidence are the only influences that affect him. Without regard to mistakes made by either party, we are bound to decide this case upon its merits. Coming from our various avocations, with our different minds, culture, and methods of enquiry, and examining it from our diverse stand-points, we shall be the more likely to find the truth. It is all important that our premises are correctly laid; if not, the conclusion must be error.

We are not a law unto ourselves, governed by our favoritism, or caprice, or predilection, or antipathy. We sit under the authority of superior judicatories, bound by their deliverances and amenable to their censure. Every system of jurispudence has its code of laws and binding authorities. These are supreme in their respective courts. When they fail to govern a case at bar, then analogy from other systems of jurispudence may be invoked in aid. We come then to the fountain-head, and enquire if this Court has any law which governs this case—any established principles which must be laid as our premises. A judicial opinion which is not grounded in the law and in reason, is of little weight or credit.

American Presbyterianism has made a record, and not left us upon the sea of conjecture. It has a jurispudence well anchored in principles. Judicially, what are they? Two of them have been cited, to wit:

First: "A man cannot be fairly convicted of heresy for using expressions which may be so interpreted as to involve heretical doctrines, if they may also admit of a more favorable construction."

Second: "No man can rightly be convicted of heresy by inference or implication."

Other two have not been so clearly stated, to wit:

Third: "It is not right to charge any man with an opinion which he disavows," or with holding consequences unless he has avowed them.

Fourth: A charge must be "so conclusively established as to remove all doubt."

These are fundamental principles—all established by that leading case which was so skillfully handled in advance by the prosecutor—the Craighead case—and reviewed and approved thirteen years later in the Barnes case. See New Digest, pages 224 and 225, and Baird's Digest, page 703.

Through all the periods of commotion and tranquillity, these principles have stood honored and unquestioned by every branch of our Church for half a century, the polar star for its judicial guidance, and thus stand to-day. I hold them, and each of them, to be incontrovertible. A case that cannot stand the test of each and all of them must fall.

Let us test this case by them.

First, the allegation must accord with these principles, and, second, must be proved according to the degree of certainty thereby required. Examine the specifications by the first and second principles; strike out those which do not negative the fact that a more favorable construction could not be given to the quotations from the accused than the construction which is alleged; then strike out those which make their charge simply by inference and implication, and what have we left? By such an ordeal, the third specification under the second charge stands solitary and alone in the whole indictment.

Inference and implication, and the exclusion of a favorable construction, are the gist of the whole indictment, except said third specification—a gist which is barred by the first and second principles.

In what does the unfaithfulness, etc., alleged in the first charge consist? Only in teaching of doctrines. No other ministerial failure is asserted or attempted in proof. Therefore the first charge must be tried by the same principles of evidence which control the second. Both pertain to the same alleged offense.

With this indictment before us for trial, how stands the case? The accused is a Presbyterian minister in his regular Presbyterian character, and his utterances can only be known to this Court in a Presbyterian sense until he is lawfully convicted of some offense

which shall bar him of his Presbyterial office and character. When he took that office upon him he avowed the whole Confession of Faith. Has he disavowed any of its doctrines since? On the contrary, he re-avows them in his plea and answer, naming many of them, and averring that he abides by the late New School theology, which, by the whole Church, has been recognized as in conformity with the standards.

But the prosecutor argues, "if the accused does indeed sincerely receive and adopt the Confession of Faith, etc., why don't he stand up here and say so?" Has he not done it? What else means his plea of "not guilty" to that Charge second? Had he made an addendum to it of,—"I *do* sincerely receive and adopt, etc.,"—it would have been mere tautology, and without any greater force.

Prof. Patton argues, "when Prof. Swing uses language that may be constructed in a Unitarian sense, I don't know in which sense he uses it, whether evangelical or Unitarian."

The General Assembly tells the accuser in what sense he should receive it, to wit: in the most favorable construction.

He further argues, "when Prof. Swing uses the term 'Evangelical,' I don't know in what sense he uses it." The General Assembly tells the prosecutor that he shall receive it in the most favorable sense, to wit: the Presbyterian sense.

The whole argument of the prosecutor has, seemingly, been forcing the most *unfavorable* construction upon all the utterances of the accused, instead of giving a brother the just advantage of the *most favorable* construction as Presbyterial law and authorities require. In the Craighead case, the General Assembly said, "of the sincerity of his disavowal God is the judge." Thus, allowing to the accused the full weight of sincerity in his disavowal, he stands entitled to full credibility before the Court, with piety unquestioned.

After all the avowals of the accused, and the evidence disproving the charges and specifications, the accuser still reaffirms and disbelieves.

Inferences and implications, and the exclusion of a favorable construction, are seemingly the gist and burden of the whole argument. I hold that this case cannot be maintained on those first three principles.

Another principle remains for us to consider in its application to this case, to wit: *Fourth:* A charge must be so conclusively established as to remove all doubt.

Under criminal law, a defendant may be acquitted if any reasonable doubt of his guilt remains under the evidence.

Were we the jurors of a jury trying the defendant under a criminal indictment, in a civil court, and the evidence was of similar character, as to uncertainty, to that at bar, could we convict? In that court, a defendant can be convicted by circumstantial evidence. Not so in this Court. *There*, he is entitled to the benefit of a *reasonable* doubt. *Here*, he is entitled to the benefit of *all* doubt. *There*, he is entitled to the benefit of simple law. *Here*, to the additional benefit of *charity*. Conviction under ecclesiastical law requires greater certainty of proof, and definiteness of allegation, than under civil law.

Take, for illustration, the fifth specification under first Charge, which alleges that the accused has omitted to preach and to teach the doctrines commonly known as evangelical, etc. Has that been proven beyond all doubt? Cite the sermons in evidence, and the testimony of the Elders of the Fourth Church. Does a doubt remain that specification fifth is not proven? If yea, then the accused goes acquitted. The prosecutor dwells on the fifth, as his strong specification to convict under the first Charge. If that fails, I hold that all fail. The prosecutor cites *Greenleaf on Evidence* to show that, while a defendant can make admissions against himself which bind him, he cannot make declarations for himself in evidence. That is a common law principle; but does he not know that, in this State, it is superseded by statute law, making a defendant a competent witness in his own behalf in a civil case? And, if my memory is correct, a bill passed the last Legislature, which is to take effect next July, permitting a criminal defendant to testify in his own behalf. Common sense is evoked by the prosecutor, to control this Court as to evidence. Good law is only good common sense. This State expressed its common sense by those enactments on laws of evidence. Shall a defendant be permitted to testify in his own behalf in a civil court, on questions of property, liberty, and life, and be debarred that right in a Christian court on questions of ministerial integrity, fidelity, and character? Is that common sense, or Christian sense? In

the Craighead case, cited *supra*, the General Assembly said that "the first charge, though supported by strong probabilities, is not so conclusively established as to remove all doubt, because the words adduced in proof will bear a different construction, etc."

It ought to be remembered that Professor Swing, in his defense, utterly disclaims the meaning adduced from his words. This, then, is the law of evidence for our guidance, and not Greenleaf, on forbidding a party to make declarations in his own favor.

Objection is still urged to the competency of the parole evidence of the Fourth Church elders. I hold it strictly competent, under the fifth specification, to disprove the allegation of omission to teach, &c., and also to disprove the allegation of omission to preach, &c., for failure properly to object to it in apt time as secondary evidence. Note the degree of evidence required by the General Assembly, in said case cited, in order to convict, to-wit: "clearly proved," "so conclusively established as to remove *all* doubt." Has it been done in this case? I think not. It is argued that the accused is claimed by the Unitarians. Base coin always claims the genuine, so as to give currency to its own circulation. It is further argued that the accused drives his theological chaise so near the Unitarian line that one cannot tell on which side of it he is.

For argument's sake admit it. Can we convict for that? No. Why? Because we must first know that he is clearly on the wrong side of the line, and that fact must then be pertinently alleged and proven to the requisite degree of certainty. Doubts count nothing for conviction. Strong probabilities, even, are insufficient.

These four principles, on which I base this opinion, as the premises from which I reach my conclusion, are not only principles of common sense, but they are also principles of the Christian statute as lived and taught by our Lord and Saviour Jesus Christ. His whole life and teaching illustrate and enforce these principles. We cannot do so well as to follow His example.

One other reason for my opinion. The prosecutor claims conviction on extracts urged in defiance of the principles I have considered. Such a claim is rejected in law without regard to those principles, and, I take it, would not be recognized in ethics or religion. Judgment of a document by extracts is extremely hazardous to truth and justice. The whole context must be considered, and the document construed as a whole. To illustrate how different the larger quotations sounded, which were made from the sermons in evidence by the counsel for the accused, from the brief extracts made by the prosecutor, instance the sermon on *Regeneration*, and on *Good Works*, etc. To further illustrate: the *Interior*, in its issue of April 16, 1874, in an editorial article entitled, "Liberty of Conscience," taught to wit—"Christianity is the religion of manhood and self-reliance." What does that mean? Is that ambiguous or orthodox? Test it by the Confession of Faith, chapter VIII, sec. 8, which teaches the doctrine of Christ, the Mediator, and the operations of the Spirit. That quoted sentence, severed from its context, may be made to teach that Christianity is the religion, or system of faith and worship, of manhood and self-reliance—a humanitarianism—instead of the system of doctrines and precepts taught by Christ and recorded by the evangelists and apostles.

Vagueness and ambiguity are strongly complained of and argued. Yet, with all the mental acumen of the prosecutor, and with all the care and study, revision and perspicuity of a pleader, drafting an indictment for court which was to be heralded to the world, and under a law requiring definiteness and precision of statement, the third specification is in terms which, by construction, attacked the character of a deceased christian woman; and the prosecutor asks leave of the Court to answer it so as to define his *intended* meaning. Yet he arraigns a brother for using language in his popular discourses, which, without doubt, was the first flow from his mind, and without the care of revision and mature consideration, as being vague and indefinite.

"Faith, Hope and Charity, these three, but the greatest of these is Charity,"

The General Assembly said in the Craighead case, in explaining the first principle above stated: "Because no one can tell in what sense an ambiguous expression is used but the author, and he has a right to explain himself, and, in such cases, candor requires that a court should favor the accused by putting on his words the more favorable, rather than the less favorable construction."

I consider each specification in connection with the charge under which it is laid, and

if, under the principles we have considered, it fails to support the charge, it is not proven.

We regret the imputation made, that the Court may acquit the accused, but cannot do it in conscience; for the Confession of Faith and the Scriptures teach us that "God alone is Lord of the conscience;" and the further imputation of the ignorance of the Court as to what the alleged omitted doctrines are, in case the Court does find the doctrines in the sermons under the law and the evidence. I find no doubt in conscience or judgment in deciding the charges and specifications, each and all of them, not sustained.

The opinions which follow were given by corresponding members of the Presbytery.

OPINION OF REV. WM. BEECHER.

Mr. Moderator: Did you ever know a Beecher that had a chance to speak that didn't? In the next place you know that the Scripture says: "The old war-horse smelleth the battle afar off." Now, I was in a Congregational pasture, and I smelt the battle, and broke bounds, and came down here. It is said that an old war-horse that had been through many wars, hearing the drum sound, broke through, and joined the troops and made the charge with the rest, although he had no rider. It is somewhat so with me.

Now, I was born in the Presbyterian Church—in the Presbytery of Long Island. My father, however, was born a Congregationalist, and my mother was an Episcopalian. So you see there are three bloods in me, and I believe that blood will tell. And some of my sisters—two of them—have felt the power of the Episcopal blood, and have gone over to that Church—they being the weaker vessels. Among seven sons of my father, not one of them forsook the old ways.

Well, then, the early part of my life having been spent in the Presbyterian Church, I love the old Church; and I love the old Catechism; and I am free to say, that in all my ministry, the definitions of the old Catechism have been a very great aid and help to me. I doubt if the definitions of doctrine in that old Catechism can ever be surpassed by any emendation or any addition or subtraction, although there may be some doctrines in the Confession of Faith that should be modified somewhat in view of the Reunion between the Old and New School branches of the Church.

Well, now, I am not going into the merits of this discussion, being a corresponding member. You see I have spoken on points of order, from time to time, but have never said a word, since I have been here, in regard to any merits of the case, although I have my own notion, from the evidence I have heard—and I have been here every day, at every meeting—that it is impossible, according to Christian rule, or according to Presbyterian rule, to convict the brother on any one of the charges or specifications. That seems to me to be the truth.

Now, I want to say a word, and quote a text or two of Scripture, which is our ultimate standard. The disciples came to Jesus, you remember, and complained that some others were working miracles, and yet followed not with them; and the Lord said: "No man can do a miracle in my name, and lightly speak evil of me." What was the principle involved? You all see what it was. Now, Prof. Swing has done some miracles—moral miracles. He has brought infidels over to the Lord Jesus Christ. He has gathered a vast number of unbelievers to Christianity, that would not attend Presbyterian preaching or any Evangelical preaching, to hear him. He has led them to hear Gospel truth in a way that they would receive it, and thus has prepared them to take stronger meat. He has fed them with milk, if you please, because they were not able to bear meat, and at last led them to the point where they could bear meat.

Then, again, about this matter of faith. The Apostle Paul tells us that "with the heart man believeth unto righteousness." Is that Presbyterianism? "And with the lips confession is made." The lips give the formula, but the heart is the essential of faith. Well, Prof. Swing says that faith is an emotion, or a feeling of the heart directly connected with holy living.

Further, I desire to say that I have been highly gratified with the spirit that has been manifest in this Court. I have attended a great many ecclesiastical trials. I was present at the ecclesiastical trial of my honored father, Dr. Lyman Beecher, where the true question which was up, as between the parties, was the interpretation of the Confession of Faith. One side contended for its interpretation in the strict Calvinistic sense, like

my brother here (Prof. Patton.) My father contended that the interpretation of the Confession which he held was the true one, according to those who made it, and according to the views of the older Church, and of the modern Church. Well, the Presbytery sustained my father, and the Synod sustained him, and it went up to the General Assembly, and the brethren came and said to the prosecutor, "You must ask leave to withdraw your appeal, for Dr. Beecher will certainly carry the day against you." So that the New School interpretation of the Confession of Faith was sustained by the three judicatories. Whatever brethren may say, it strikes me as a fact, that in reality, the question is upon whether the interpretation of the Confession of Faith shall be the extreme Old School or Calvinistic, or whether it shall be the New School interpretation. If it is the New School interpretation, Swing is clear—he *swings* clear.

Now, sir, I beg leave to say, again, that I have been gratified with the kindly and Christian spirit that has been manifested here. I have never attended a meeting of this sort where there was less acrimony, less of unkind and ungenerous feeling. Why, we must expect, when Greek meets Greek, the tug of war will come, and when flint and steel meet, we must expect that fire will be struck. We must expect that, and take it as a matter of course. But there has been no unkind feeling, that I have seen, manifested on this floor; and I am highly gratified that it has been so. And I have been exceedingly gratified with the able and Christian manner in which the Moderator has conducted this meeting—this whole affair. I know, by personal experience, the difficulties of the case, and I say he has done admirably. Although on some minor points I have thought the rulings not *au fait*, yet, as a general fact, he has conducted the affairs of this court with admirable Christian firmness, intelligence and ability.

Now, brethren, I am an old man. When I began in the Presbyterian Church I was as fierce for a fight as any man, and they used to say, when I spoke, "Beecher's mad—see how his face flushes up." Now, I wouldn't give much for a man who hasn't blood enough in his body to feed his brain while he is using it.

The last church I was settled over, was the church in North Brookfield, Massachusetts. Dr. Snell, who had been for a long period of years the pastor there, when he came to lie on his death-bed, was in great distress of mind, and sent for me to come and see him. "Oh, Brother Beecher," he said, "I am such a sinner; oh! I am such a sinner; no hope." I saw at once that he needed a plaster put on—a blister plaster. Said I, "Brother Snell, you are a greater sinner than you ever had any conception of—than you ever had any thought of; you *are* a great sinner, and I am a great sinner—and there is no salvation for you or me but in the single way, and that is to cast yourself on the Lord Jesus Christ, who died for you and me; and if you don't do it *now*, you are a lost man?" He did it.

I did not preach Election. I did not preach Decrees. I did not preach Foreordination. I did not preach Predestination. I did not preach anything of the kind. I brought him right up to the view of Christ as a Saviour for lost sinners, and said, "Cast yourself on Jesus;" and he did it, and died triumphant. And there is where every one of you will come; there is where the prosecutor will come; there is where Swing will come: I am pretty near there. As I told you, I have been fierce for this, and fierce for that, but the longer I have lived, the more I have come to this: Jesus Christ first, middle, and without end; Jesus Christ and Him crucified; not Jesus Christ the God, nor Jesus Christ the man, nor Jesus Christ the teacher, nor Jesus Christ the exemplar: those are all well; but *Jesus Christ and Him crucified;* and as I come nearer towards heaven, Christ grows brighter and brighter, and all that I now feel and care for is to glorify and honor that glorious Redeemer, who loved me, and gave Himself for me.

OPINION OF DR. A. D. EDDY.

Mr. Moderator: I came here this morning with the determination not to make any remarks whatever, and I have been in the room but two minutes: I came in since Brother Beecher commenced his remarks. I feel a deep desire not to say one word, and but for the impellings, as I humbly think, of the Spirit of God, and a conviction of imperious duty, I should not say one word; neither the state of my nervous system, nor my personal relation to this matter, would

lead me to take the responsibility which I now take upon myself.

It is known by many here that I was the founder of the church of which Prof. Swing is the pastor—the honored pastor, the beloved pastor, the useful pastor. The struggles which I have been through, in connection with the early history of that church, are also well known. It is well known that the two beloved men who succeeded me, did so at the expense of their lives. That church was the cause of their death, I humbly believe. They loved it. They served it. They died in the service—one of them; the other soon after. I have watched the interests of that church from that day to this. In the providence of God, though my home is a thousand miles away from here—in the providence of God, through the calls of disease and death, I am required to be here more than half my time. I have been almost a constant attendant, when here, upon the preaching of Professor Swing.

Now, Mr. Moderator, I am not going to say anything in regard to the merits of this great question. I sympathize with both parties. I am the oldest man in this Presbytery in point of years, and in point of relation to the Presbytery, except Dr. Patterson; he is the only man on which my eye rests that was here when I came and connected myself with this Presbytery, and had the privilege of founding the Westminster Church.

Now you would naturally suppose that I should take some interest in this church and its pastor. I do take an interest in the church and its pastor; and I take a more sacred interest—a more solemn interest—in the great Church of the living God throughout our land and throughout the world. Born into the Presbyterian Church, nursed in its lap, and early taught the Westminster Catechism, I have always been accustomed to venerate that system—call it what you please. Now, I want to say that I sympathize with Prof. Patton. I have been over this land, the length and the breadth of it, again and again, for the last fifteen years. I must say that throughout the length and breadth of this land, there is a growing indifference to the cause of—I will not say Calvinism, the Westminster Confession of Faith—but a growing indifference to the truth of God as it is in Jesus Christ our Lord. A short time ago, a man assailed me severely on the character of our Westminster Confession. I defended it and argued against the construction he put upon it. "Well," he said, "it don't make much difference whether it is in there or not; it is in St. Paul's writings, if it is not in the Catechism." The drift of the sentiment, in this country now, is rather from those sublime sentiments upon which our faith is built. Now, sir, taking the position that Prof. Patton does, and assuming all the responsibility that is upon his hands, I do not wonder at all that he feels deeply upon this subject. I know, sir, that much has been said about the position of the General Assembly of the Church at the Reunion. I know something about that, sir. I was in it from beginning to end, and I am the only living man on the face of the earth that was, in the beginning, on the committee to which the subject of the overture of Dr. Crane was referred; I am the only living man who was on that committee; and that was the commencement of the division.

Now, sir, I am going to make a remark that will astonish you and many others. Previous to that, came the trial of Albert Barnes. I know all about that. Brother Barnes and I were more intimately related than you know of, perhaps. That trial was not on the ground of sentiment alone. The decision you have all heard. Then came questions that ultimately drove the wedge that divided our Church. I say now, in the presence of my God and Saviour, that I verily believe, and I think I have at home the fullest proof that any man can ask, that the division did not grow out of doctrinal sentiment; and at the proper time, God sparing my life, I shall present that evidence. For, if it grew out of that, why did some of the New School men fall on one side and some on the other? When the line came to be drawn, it was not a question of sentiment. And so it was at the time Dr. Beecher, the elder, was in Philadelphia called to the Arch St. Church. Was it a question of doctrinal belief? Why, every Old School man, and every pastor in Philadelphia, and every one of the professors of the Princeton Theological Seminary signed and sent a most earnest letter to Dr. Beecher that he would accept the pastorate of the Arch Street Church of Philadelphia. Dr. Beecher's sentiments were known, I rather think, at that time. Right in the midst of that time, during the action of those forces

that finally united to separate us, the separation came from the views of men in Philadelphia and Scotch Presbyterianism; the good old lovers of the Catechism, fearful of that dark, distant Unitarian question that was coming up like a cloud, and filling the whole atmosphere with mist and pestilence and moral pollution; it was the New England spirit.

But my time will soon be exhausted. I want to say that I do sympathize with Prof. Patton. And let me say that I do believe it is in the power of a few of you here, by advising together, to have this whole thing ended peaceably and happily. I believe if you will appoint a judicious committee—or I do not know as the appointment of a special committee is necessary,—and Professor Swing will lay those declarations, that he has made before it, this whole thing can be ended satisfactorily to all parties. I heartily and honestly believe this, and I have reason for doing so. That is my firm conviction, that the whole thing can be arranged, and you will fall back into harmony and happiness, and the blessing of God will fall upon you.

I want to say one thing more. I don't think it was right for Brother Spear to send the letter he did; and I do not think it was right for Brother Trowbridge to say anything about it.

Mr. Trowbridge: I did not say anything about it.

The opinions of the Court were here concluded.

The following resolution was adopted:

Resolved, that the vote be taken on the several Charges and specifications at one calling of the roll—each member, as his name is called, voting "sustained," or "not sustained."

Another resolution was adopted, as follows:

Resolved, that the vote on each specification be upon its *moral bearing* as sustaining, or not sustaining, the guilt alleged in the Charge under which it is placed.

It was also resolved that it is allowable to vote, "sustained in part," if any member so desire.

The Roll was then called, and the vote was recorded by the clerks.

A Committee, consisting of Revs. R. W. Patterson, D. D., James McLeod, and Elder R. E. Barber, were appointed to examine the vote and bring in the finding of the Court.

Recess was taken until 2 o'clock P. M

---

2 O'CLOCK P. M.

Inter alia:

The Committee appointed to present th verdict of the Court reported.

The report was adopted, and is as follows:

The Committee find, from the record of the clerks, that the vote of the Presbytery, in this case, stood as follows: 61 votes were cast, of which 15 were in favor of sustaining the first charge, and 13 for sustaining the second charge; 46 against sustaining the first charge, and 48 against sustaining the second charge. We, therefore, find that the accused has been acquitted of both the charges by the judgment of this Court, as aforesaid.

[Signed.] R. W. PATTERSON.
JAMES MCLEOD.
R. E. BARBER.

Prof. Patton, thereupon, gave notice that he should appeal from the decision of the Presbytery, in this case, to the Synod of Illinois North.

The following resolution was adopted:

Resolved, that a Committee be appointed for the purpose of supervising the publication of a correct history of the trial of the Rev. David Swing, before this Presbytery, and that said Committee consist of Revs. David S. Johnson, Francis L. Patton and George C. Noyes.

The following resolution was also adopted:

Resolved, that the Committee on the finding of the Court be instructed to report the reasons for the final judgment at the next meeting.

At his own request, Rev. J. McLeod was excused from serving on the Committee, and Rev. Dr. Arthur Swazey was appointed in his place.

The Presbytery then adjourned with prayer, to meet on Monday, May 25th, at 10.30 A. M. in the Presbyterian Room, McCormick's Block, Chicago.

MONDAY, MAY 25TH, 10.30 A. M.

The Presbytery met in the Presbyterian Room, McCormick's Block, and was opened with prayer.

Inter alia:

The Committee appointed to prepare reasons for the decision of the Court in the trial of Rev. David Swing, reported as follows, which was adopted:

Both of the Charges against Mr. Swing are negative in form, and devolved upon the prosecutor the labor of proving a negative. Much depends in this case upon a correct statement of the questions at issue. It is not the question:

1. What we may believe, for private reasons, in regard to the real views of Mr. Swing. We must be governed by the evidence, and not by private opinions, in our judgment as a Court.

2. It is not the question what Mr. Swing may do in the future. We are confined to the evidence of what he has said or done, or failed to do or say.

3. It is not the question whether Mr. Swing occupies such a position, or habitually uses such expressions in his preaching, as are satisfactory to us all. He may assume an attitude in relation to skeptics or errorists which some of us deem too liberal, and he may employ many expressions which to most of us seem not sufficiently guarded, and yet be guilty of no heresy, and of no such unfaithfulness as constitutes an ecclesiastical offense. The question, as it regards the kindly treatment of errorists, is one about which our Church has no positive rule of judgment.

4. It is not the question whether the views of Mr. Swing in regard to the relative importance of formulated theology are or are not correct. A man may judge erroneously on this point, and yet hold all the essential doctrines of Evangelical Christianity, and of the Calvinistic system, and preach the Gospel with fidelity.

5. It is not the question whether Mr. Swing is right or wrong in his opinion regarding the extent to which our Church at this day actually holds to the letter of our formulas of faith, or insists upon the propositions contained in our Confession. He may for himself sincerely receive and adopt the Confession as "containing the system of doctrine taught in the Holy Scriptures," and yet be mistaken as to the sense in which the Church requires its ministers to hold the Calvinistic system.

6. It is not the question whether Mr. Swing's judgment in regard to the best style of preaching is strictly correct or not. There are great varieties of judgment on this subject allowed by our Church, inasmuch as we have no authorized definition of what faithful preaching is. Only such styles of preaching as studiously and designedly avoid Christian truth, or clearly inculcate essential error, can be justly regarded as involving an offense in the ecclesiastical sense.

7. It is not the question whether Mr. Swing has been unfaithful, as all imperfect men are, in preaching different truths more or less out of their due proportions; for on this point we have no absolute standard of ecclesiastical judgment.

8. Nor is it the question whether Mr. Swing has been claimed by Unitarians, or suspected of error by some orthodox people; for all this has been true of sound men who were not specially unfaithful, but were either unfortunate in their modes of expression, or surrounded by persons who were for one reason or another inclined to misconstrue their words or position. Such circumstances do not by themselves prove either error of doctrine or ministerial unfaithfulness in such a sense as constitutes an ecclesiastical offense.

But the questions are these and only these:

1. Whether it has been conclusively proved that Mr. Swing does not personally hold all the doctrines that are by our Church regarded as *essential* to the system of doctrine taught in the Confession and in the Holy Scriptures.

2. Whether it has been proved beyond a doubt that he has been unfaithful in the discharge of his ministerial duty in such a sense as to constitute an ecclesiastical offense.

These questions the Presbytery has answered in the negative for the following reasons:

1. Mr. Swing's position as a Presbyterian minister who has solemnly professed to receive and adopt our Confession as "containing the system of doctrine taught in the Holy Scriptures," and has engaged to perform all his ministerial duties with fidelity, obliges us to regard him as orthodox and faithful until the contrary is incontestably established, not by inferential reasonings from his statements, but by undeniable and direct proofs. But such proofs, in our judgment, have not been produced. The alleged evidences, to be conclusive, require us to assume that Mr. Swing has been artfully and systematically acting the part of a willful deceiver, who ought to be indicted for the most wicked and shameless hypocrisy. But we dare not assume such a ground without overwhelming evidence.

2. Mr. Swing has *denied* the charges against him in his declaration; has affirmed that he is a New School Presbyterian, and has asserted that he holds in the evangelical sense "The Inspiration of the Holy Scriptures," "The Trinity," "The Divinity of Christ," "The Office of Christ as a Mediator when grasped by an obedient faith," "Conversion by God's Spirit," "Man's natural sinfulness," and "The Final Separation of the righteous and the wicked." This denial, and these affirmations, if sincerely made, oblige us to regard Mr. Swing as occupying on all the points of the Evangelical and Calvinistic faith substantially the same ground as the former New School theologians, whose views of Calvinistic doctrine, as set forth in the Auburn Declaration, and in their writings, were recognized by both General Assemblies at the time of the Reunion as not inconsistent with the integrity of the Calvinistic system, and with a sincere reception and adoption of the Confession of Faith *as containing the system of doctrine* taught in the Holy Scriptures. We by no means contend or believe that is was implied in the Reunion that the great body of the Church *indorsed* what was called the New School theology, as held by such men as Drs. Richards, Beman, Spear, and Hickok and Albert Barnes. What we say is that, after the Auburn Declaration had

been affirmed by the Assembly at Albany in 1868 to "contain all the essentials of the Calvinistic creed," and when all the theologians of the New School Church, whose views had been long before the world, were freely received into the reunited body, and the Church in which they had been not only tolerated but honored—was pronounced "a sound and orthodox body," it was clearly understood that the doctrines of what was called the New School theology were to be allowed in the Reunited Church as not inconsistent with a sincere acceptance and adoption of the Confession of Faith, as containing the system of doctrine taught in the Holy Scriptures. And in our judgment it has not been proved that Mr. Swing has departed further from the letter of the Confession than many other New School theologians who were recognized as in good standing at the time of the Reunion. It is conceded on both sides that a subscription to the letter of the Confession on all points, or even to all the propositions in the Confession, is not essential to good standing in the Reunited Church. The doctrine of particular and general atonement, and the different views that are held among us in regard to the lawfulness of marrying a deceased wife's sister, are not alike consistent with the letter or propositions of the Confession; but they are alike allowed in the Church as not *destroying the integrity of the system* embraced in our Confession, and so of many other points of difference among us. But Mr. Swing has not, so far as has been shown, discarded any teachings of the Confession which are essential to the integrity of the system taught in the symbols of our Church. The doctrines which he avowedly discards in his declaration are not held by any school in the Church, and he only implies in that declaration his adoption of the New School in preference to the Old School theology.

It has not, in our judgment, been proved from the published writings of Mr. Swing that he discards any essential doctrine of the Presbyterian Church. The principal specifications bearing directly on this point are the ninth, eighteenth, nineteenth, twentieth, twenty-first, twenty-third, and twenty-fourth, under Charge 1, and the four specifications under Charge 2.

Specification 9 alleges that Mr. Swing has taught or given his sanction to Sabellianism. But the language quoted is consistent with a belief in the Church doctrine of the Trinity; and this doctrine of three persons in one God is distinctly recognized in "Truths for To-Day," page 81. Besides, it has been proved by parole testimony that Mr. Swing does avow his belief in the doctrine of three persons in one God.

Specification 18 charges that Mr. Swing denies in effect, the judicial condemnation of the lost. But of this we have seen no proof. The statement that unbelief "does not destroy the soul by an arbitrary decree," may be fairly understood to mean that God does not assign damnation to the unbeliever without good reasons, which reasons are found partly in the very nature of our belief. There is no denial, expressed or implied, of a divine judicial sentence upon the unbeliever.

Specification 19 alleges that Mr. Swing teaches that faith saves because it leads to a holy life, etc., but he does not deny that faith has a supernatural origin, when he affirms that it acts naturally, or in accordance with the nature and laws of the human mind. And we do not see that any of the statements quoted in the specification contravene any fundamental doctrine of Scripture or the Confession. He does not discuss, in the sermon quoted, the whole subject of Faith, but simply considers its relation to a holy character.

Specification 20th accuses Mr. Swing of teaching that men are saved by works. But it does not follow that he denies that there is another sense in which men are saved by faith in the Saviour's atoning sacrifice. Indeed, he expressly says in his sermon on Faith, page 239, that "Pardon and atonement form parts of the great salvation." There is a sense in which men are saved by works, as the Apostle James explicitly teaches.

Specification 21st alleges that Mr. Swing denies the doctrine of Justification by Faith, as held by the Reformed Churches and taught in our Confession. But Mr. Swing, in showing that works—that is, a new life—is the destiny and end towards which Faith operates, does not deny that judicial justification is a reality in the Christian system. On the contrary, he asserts, as we have seen, that "pardon and atonement are part of the great salvation." Like James, in speaking of good works, he treats only of the necessary place which a new life holds in the matter of salvation.

Specifications 23rd and 24th allege that Mr. Swing denies the plenary inspiration and the infallibility of the Bible. But it appears from Mr. Swing's letter to the *Presbyterian*, and from his explanations before this body, as well as from private statements of his views, in evidence before us, that he believes in the plenary inspiration and the infallibility of the Bible, and only adopts some peculiar modes of *interpreting* and *applying* Old Testament teachings and the Book of Revelation, about which our Confession says nothing.

Specification 1st, under the second Charge, alleges an offense which was known, when the charges were brought forward, only to a few persons,—a private offense,—and which has not been proved.

Specification 2nd has not been established by any clear evidence.

Specification 3rd under that head failed, because the memory of Mr. Shufeldt was altogether uncertain, and because there was at best but one witness; and

Specification 4th failed because, even if the quotations were fairly made, they only show Mr. Swing's relative estimate of the practical importance of the doctrines referred to, and not that he disbelieves those doctrines. The proofs of the prosecutor are all inferential and indirect, and even his infer-

ences we do not admit are clearly made out. The accused is entitled to the benefit of the most favorable interpretation which his language seems to admit of. Besides all this, it appears from the testimony of the Elders of the Fourth Church, and other witnesses, that Mr. Swing has not taught the doctrines charged upon him, in any of his lectures, but has explicitly taught the contrary, and that he has in private conversations explicitly disavowed his belief in those doctrines.

It should be added that the evidence from Prof. Swing's sermons before this body goes to show that he does believe the doctrine of Divine Decrees, and nearly all of the other doctrines which he is charged with denying.

For all these reasons we have judged that the second Charge is not sustained by any clear and satisfactory proof. And for the same and like reasons we have decided that the first Charge has not been sustained.

A few additional reasons may be stated for our judgment regarding the first Charge.

Under this head we take into account not only the position of Mr. Swing as a Presbyterian minister, and his explicit denial of guilt, and his affirmations of substantial agreement with New School Presbyterians, in which we are bound to assume his entire honesty until the contrary is proved, but the peculiarity of his aim in many of his discourses, and the character of the audiences which he had before him in many of his discourses, and the character of the audiences whom he has chiefly addressed in his Sabbath services since the Fire. Mr. Swing deals largely in illustrations and the use of metaphorical language, and often rapidly groups together many particulars which are only very generally related together, and although not a mystic, his thought and style are often mystical, and therefore more or less obscure. It should be remembered, also, that he avows his sense of the necessity of less theological and more practical preaching; also, that his audiences since the Fire have consisted largely of persons who were not convinced of the divine authority of Scripture, and whom he was therefore induced to address frequently in the hope of gradually preparing them to admit its Divine authority. This accounts for the fact that, during this period, he has dwelt less upon the central doctrines of the Gospel in his discourses on the Sabbath, reserving his more explicit instructions for the benefit of his own people for his Wednesday evening lectures, as his Elders tell us he has done. With these facts in mind, it is not difficult to understand many things in his sermons which might otherwise seem hardly consistent with an earnest, evangelical purpose.

It has not been shown that he has intentionally used vague or equivocal language in regard to important doctrines, or that he has declined to explain his meaning, when misunderstood, in such a way as to prove him ecclesiastically unfaithful. His treatment of Unitarians, and his discourse on the life and character of John Stuart Mill, we attribute rather to his kindly and charitable habits of mind than to any disposition to give his sanction to fundamental error; for he has often in his sermons declared that a religion which makes Christ a mere man, as the Unitarianism of our day almost uniformly does, strikes the sun from the centre of the system; and as to Mr. Mill, he only commended his philanthropy, which he expressly attributed to the Christian influences of which he was unable to divest his mind. Mr. Swing does indeed ridicule the manner in which some of the more difficult doctrines of religion have been often defended and propagated by persecution and force; and he once speaks of the doctrines of "Predestination" and "Election" as not important in their relation to *the historical features of an age.* But while he deems the prominence sometimes given to such mysteries unwarrantable, it has not been shown that he treats contemptuously the doctrines themselves.

The allegation that he has omitted to teach or preach several fundamental doctrines, is not sustained in any such sense as to show that he has been intentionally unfaithful; for it has been shown that he has frequently recognized these doctrines in his preaching or his lectures, excepting those which are seldom touched upon directly in most of our Christian pulpits, and that his references to these doctrines, interpreted in view of his evangelical standpoint, are to be regarded as carrying with them an evangelical meaning.

His sermon on "Experience as a test of Scripture doctrine" in contradistinction to the doctrines of the Church "as formally stated," though liable to be misunderstood, has not been proved to teach any radical error. He has expressly disavowed the doctrine of "evolution," both in his sermons and before the Presbytery. The allegation that he has made false and dangerous statements regarding the standards of faith and practice is not established by the passages referred to, although the language used is, in some instances, liable to be misapprehended. In regard to the Being and attributes of God, we do not find any language of Mr. Swing that is clearly of false and dangerous import, although some expressions are perhaps not sufficiently guarded against misconstructions. The specification in regard to Baptism does not seem to be sustained by any sufficient evidence, and the allegation respecting Penelope and Socrates is not supported by unquestionable proof. For, taking the language quoted in its most unfavorable sense, it asserts a doctrine which is held by some confessedly sound Presbyterians, and which is not regarded by them as contrary to our Confession. Specifications thirteenth, fourteenth, and fifteenth have not been established in such a manner as to prove unfaithfulness in the sense of an ecclesiastical offense. Indeed, they seem to rest on a misapprehension of Mr. Swing's meaning. Specification sixteenth, to say the most, is only supported by

an appeal to language carelessly used, such as we often find in the writings of good and faithful men. Specification seventeenth has not been established in such a manner as to prove any ecclesiastical offense.

It thus appears that none of the specifications have been so sustained as to make out clearly an ecclesiastical offense. The legal principles applicable to this case are clear:

1. No man can be justly convicted of heresy by unfavorable interpretations of his language, when it admits of a more favorable construction than the prosecutor has put upon it, as we have seen.

2. Every man is entitled to the benefit of his disclaimer of doctrines attributed to him which he denies that he holds; and we have seen that Mr. Swing does deny that he discards any doctrine that is essential to the system taught in the Confession as held by New School theologians, and heretofore acknowledged as allowable by the authorities of the Church.

3. No man can justly be convicted of error by inferences from his teachings, which inferences he refuses to acknowledge, however logically the conclusions may be drawn. And much less can any one be held responsible for inferences which do not follow by necessary consequence from his positions. But Mr. Swing is accused by the prosecutor on almost every point on the ground of inferences which do not seem to follow unavoidably from the language used.

4. It is a maxim in ecclesiastical law that no man should be convicted of an offense so long as there can be any doubt of his guilt. But it seems to us that there is, to say the very least, room for grave doubt in regard to the guilt of the accused in this case. For these principles, see the cases of Craighead and Barnes in the Digests.

In view of all these considerations, some of which are deemed more weighty and some less weighty by different members of this body who voted with the majority, we are clearly of the opinion that *the several specifications have not been sustained in the sense of the prosecution, and that the Charges have not been sustained.*

In rendering this judgment, we by no means indorse all the expressions and sentiments of Mr. Swing, or assume the responsibility of defending his peculiar style of preaching. We would be understood as simply pronouncing our judgment on the points involved in the indictment according to the evidence that has come before our minds in the progress of this distressing trial. All of which is respectfully submitted.

[Signed.] R. W. Patterson,
A. Swazey,
R. E. Barber.

The report was adopted.

Prof. Patton announced that the reasons for his appeal from the decision of the Presbytery to the Synod of Illinois North would be presented to the Moderator within the time specified in the Form of Government.

The Presbytery then adjourned with prayer.

PUBLISHERS' ADDENDA.

The following documents—Letter of Prof. Swing to the Chicago Presbytery, and Reasons of Prof. Patton for appeal to the Synod of Northern Illinois—though not constituting a part of the Record of the trial, will be of interest to the readers; and are added by the Publishers with the consent of the Committee of Publication.

LETTER OF PROF. SWING.

CHICAGO, MAY 25, 1874.

To the Chicago Presbytery:

DEAR BRETHREN: Anxious that my troubles in Church relations and doctrines should come all at once and, if possible, be terminated, and wishing to avoid debate with many brethren with whom I knew the action would find little approval, I availed myself of the telegraph to announce a course upon which my own mind had most fully determined.

At some subsequent meeting of your body I shall request a letter of dismissal, or that you will erase my name from your roll, for I know not which request will be in harmony with your laws and customs.

To-day, I beg permission only to apologize, and state a fragment of the argument which induced me to break the old ties. All through the past year so much had been said in the Presbyterian papers, and so much had been attempted in Synods and Presbyteries, that pointed to me as a "departure" from the faith, that my heart had gradually felt less and less at home in the old household, and thus began to feel that to withdraw was a step akin to duty.

I have always looked upon church relations as being not simply those of theology, but those of Christian brotherhood; and when, by degrees, under the repeated attacks by a new enemy, the feeling of brotherhood has been rapidly taken away from my heart, the desire has daily increased to terminate relations which not only conferred no happiness upon me, but conferred power upon another to arraign me, from time to time, on some dead dogma, or over the middle of a sentence, or over some Sabellian or Mohammedan word.

From the standpoint from which I am accustomed to view all reform, it also seems that my withdrawal is demanded now in order to secure to the Synod and to the Assembly that peace which alone can lead to a calm review and restatement of doctrine. If my late prosecutor chooses to force upon this Synod and upon the Assembly an issue of this whole matter, and shall compel those bodies to open and settle at once questions which should receive five or ten years of the calmest abstract thought, upon him must rest the whole responsibility of the painful results.

It can easily be seen, from the eagerness with which this adjoining Synod reaches out after this battle, and from the nervousness which the Assembly has already betrayed over the recent action of your body, that it would be only a mania for war to the knife that could induce any one now to carry to those bodies a debate so radical, so sudden, and so clouded by personal friendships and animosities.

The noble attitude assumed last week by your body is lesson enough and battle enough for some time to come.

What the Church demands now is peace, that it may think in some hours, and work for its Master in all hours. It needs peace as to theology, action as to Gospel work, and then, in days of subsequent peace and soberness not far removed, it can by committees, and without the stormy passions that gather around an "accuser" and an "accused," sit down to refashion its statement of doctrine.

My brethren, in this act I hope I do not withdraw from your Gospel mission, but only from a strife forced upon you and me to our deep regret. In all your Christian labors, if there be any moment at which I can help you, count me with you as a fellow-laborer; but, when any "accuser" looks around for a subject to be used for military purposes, will

you not join with me in blessing God that such a peculiar passion must at last languish for want of a victim?

Hoping that God will confer His blessings upon your path, and upon mine also, I remain, as ever, your brother,

[Signed.] DAVID SWING.

THE PROSECUTOR'S APPEAL TO SYNOD.

CHICAGO, June 2, 1874.

Rev. Arthur Mitchell, Moderator of the Presbytery of Chicago.

REVEREND AND DEAR SIR: Allow me to inform you that I intend to appeal to the Synod of Illinois, north, at its session in October next, against the decision of the Presbytery of Chicago, in the case of Rev. David Swing.

The appeal is from a "definitive sentence," and on the following grounds: (1.) "Irregularities in the proceedings." (2.) Hurrying to a decision before important testimony was taken. (3.) A manifestation of prejudice in the case. (4.) Mistake. (5.) Injustice in the decision.

Under these heads I shall group more specifically the reasons which lead me to carry up the case to a higher court.

I. Irregularities.—1. The Presbytery erred in admitting the testimony of the elders of the Fourth Church, when it appeared that the sermons of Mr. Swing, respecting which they gave their opinion, were in possession of the accused. These sermons, though called for, were withheld.

2. The Presbytery erred in allowing the moderator to vote on the charges and specifications and to express his views of the case in a written opinion.

3. The Presbytery erred in allowing the elder representing the Ninth Church to vote on the charges and specifications; inasmuch as the session of that Church sustains Rev. Dr. McKaig in his position as pastor elect notwithstanding the heretical opinions which Dr. McKaig has publicly expressed on the subject of inspiration.

4. The Presbytery erred in allowing the elder representing the Fourth Church to vote on the charges and specifications, inasmuch as he was an interested party.

II. Hurrying to a Decision.—The prosecutor expected to prove specification 1, of charge second, by a letter written by Mr. Swing to Rev. R. Laird Collier, and by the testimony of Mr. Collier. The prosecutor asked for a continuance, and accompanied the request with the presentation or affidavits which showed the importance of the testimony and the necessity of a postponement in order to obtain it. The request was not granted.

III. Prejudice.—There was a manifestation of prejudice in the case throughout the trial. It will suffice to call attention to the following facts:

1. A member of the court, who voted with the majority, stated on the floor of the Presbytery that he was ready to "show his colors," and that he belonged to the "winning side." This was before the evidence was heard.

2. In several instances members, in giving their "opinions," indulged in unkind personalities, which were calculated to excite odium against the prosecutor.

3. Remarks were made by more than one member of the court, favoring a lax subscription to the Confession of Faith.

4. It was affirmed by the defense and reaffirmed by leading members of the Presbytery, who voted with the majority, that the issue before the Presbytery was one of Old and New School Presbyterianism. This had great weight with the Presbytery, and was calculated not only to enlist the sympathies of those who belonged to the late New School branch of the church, but also to excite odium against the persecutor as one who had taken the responsibility upon himself of reviving old controversies.

IV. Mistake.—1. It was a mistake to regard the plea of "not guilty" as any reason for the acquittal of the accused. The plea was *pro forma*, and without it no issue would have been joined and there would have been no case to try.

2. It was a mistake to consider the declaration of the accused that he was "a New School Presbyterian" as a reason for his acquittal. This declaration was not equivalent to an avowal of his acceptance of the Confession of Faith as containing the system of doctrine taught in the word of God. His declaration does not set forth what he understands New School Presbyterianism to be.

3. It was a mistake to regard his declaration that he held in the evangelical sense the inspiration of the scriptures, the trinity, the divinity of Christ, the office of Christ as

a mediator when grasped by an obedient faith, conversion by God's spirit, man's natural sinfulness, and the final separation of the righteous and wicked, as a reason for his acquittal. Because (a) the word, "evangelical" is indefinite. It is used by some, and there is good reason for supposing that it is used by Professor Swing with very great latitude. (b) The doctrines named are vaguely stated and do not necessarily imply that the accused holds them as they are formulated in the Westminster symbols. (c) The published writings of Mr. Swing may be fairly regarded as interpreting his creed, and he has made statements in them which are at variance with fundamental doctrines of the Confession of Faith.

4. It was a mistake to regard the articles of faith, set forth in the declaration of the accused as a reason for his acquittal. Because, even though the doctrines embodied in it were shown to be held by the accused in the sense in which they are taught in our standards, it omits some important doctrines held by our church, and the declaration of the accused elsewhere intimates that some of these doctrines the accused no longer held.

5. It was a mistake to affirm that in a trial for heresy the evidence must be sufficient to remove all possible doubt. This proposition was laid down as an unquestionable legal principle, and as such is embodied in the "reasons" of the Presbytery for its decision. The principle affirmed by the Presbytery is not only without authority, but the precedents cited in support of it teach the contrary doctrine (see cases of Craighead and Barnes, in Old School and New School Digests). The effect of this principle would be to make the condemnation of heresy impossible and to render hopeless every effort of the church to protect herself against false teachers.

6. In the record of reasons for the decision of the Presbytery it is assumed in the first place, that the accused accepts and adopts the Auburn declaration, and it is argued, in the second place, that all who hold the views of Calvinistic doctrine as set forth in this declaration are entitled to good standing in the ministry of the Presbyterian Church. The first proposition can be proved to be true, and the second has not been called into question. This is enough to show that the accused was really acquitted by the Presbytery on an issue, which had not been joined before it.

7. Presbytery took the ground that they were compelled to acquit the accused or impeach his integrity. This was a mistake. There were but two questions before the court: First, "Are the facts proved?" and second, "Do they sustain the charges?"

8. The court was in error in acquitting Prof. Swing on the ground that the prosecutor had failed to prove that the accused had intentionally omitted to teach certain doctrines, and had intentionally used equivocal language.

It was not incumbent on the prosecutor to prove the express intention of the accused, inasmuch as a man is conclusively presumed to intend the natural and probable consequences of his acts. It was so held in the case of Ditcher vs. Denison, in a judgment of Dr. Lushington.

Rejecting that construction of the word "advisedly" which would involve the necessity of proving in each case an avowed purpose of infringing the law, he (Dr. Lushington) thus laid down the principle to be applied by the court: "If a sermon or tract be compared with the articles and found to be clearly repugnant to them, the intention to contravene must be inferred, for in all the transactions of life a man must be judged by the evident consequence of his acts, and be taken to intend the effect of what he has deliberately done." (Ecclesiastical judgment of the privy council, p. 162.)

8. A separate vote of the Presbytery should have been taken on each specification and then on every charge.

10. The Presbytery erred in passing a resolution to the effect that the vote on the specifications should be in their moral sense as implying the guilt or innocence of the accused. Whether the specifications were true and whether they sustained the charges were separate questions, and should have been separately considered. Many would have voted for some of the specifications, who, nevertheless, would not vote to sustain any of the specifications, or to sustain one or both of the charges. This appears in the opinion of several members of the court, and it is further evident from the fact that several members of the court prefaced their vote by saying: "In the sense implied in the resolution we vote 'no' on all of the specifications." For this reason the verdict

of the court does not plainly represent the judgment of the Presbytery respecting the specifications.

11. If it were conceded that the language of Professor Swing, which is alleged to contravene the doctrines of our standards, is without violence capable of a favorable construction, yet the Presbytery erred in acquitting Professor Swing, because he failed to disavow the specific errors alleged against him, and to avow the doctrines which it was alleged he had impugned. The import of the Craighead case was defined by the General Assembly of 1836 to be "that when language claimed to be heretical admits without violence of an orthodox exposition, and the accused disclaims the alleged error, and claims as his meaning the orthodox interpretation, he is entitled to it, and it is to be regarded as the true intent and import of his words."

12. It was a mistake to account for the style of Mr. Swing's preaching on the ground that he addressed a peculiar audience. Conceding that this is a correct way of accounting for the characteristics of Mr. Swing's preaching, it would not be a good excuse for omitting to preach the cardinal doctrines of the gospel, or for teaching error or for speaking disparagingly of the cardinal doctrines of our church. But it is at least as probable that the peculiar audience is due to the peculiar style of preaching as that the peculiar style of preaching is due to the peculiar audience. Of the peculiar character of the audience, it is to be furthermore remembered, there was no proof.

V. Injustice.—1. Conceding even that the specifications do not sustain in charges under which they are placed, it is a matter of deep regret that our Presbytery could have had its attention called to the utterances of Mr. Swing, without putting on record a single word of censure, admonition, or disapproval. Is it too much to say that in its vote of acquittal it has to all intents and purposes indorsed the preaching of Professor Swing, given its sanction to latitudinarianism, and done injury to the cause which it is pledged to maintain?

2. The case was clearly proved. The verdict of the Presbytery was therefore an unrighteous decision.

These are my reasons for appealing from a decision in which so large a majority of my co-presbyters concur.

With respect for the reverend judicatory over which you preside, and high regard for yourself, I am very sincerely yours,

[Signed.] FRANCIS L. PATTON.

THE END.

A NEW AND REVISED EDITION OF

REV. DR. HATFIELD'S

HIGHLY POPULAR AND WIDELY PATRONIZED

CHURCH HYMN-BOOK,

WITH TUNES,

Just issued from the well-known *University Press* of Cambridge, Mass., in the highest style of art.

A new set of plates having become desirable by reason of the worn state of the first set, occasion has been taken to subject the work to a thorough and most careful revision. The utmost *accuracy* has been sought in the printing of both the Hymns and the Tunes, so as to make them, in this respect, and in uniformity of punctuation, as perfect as possible. No change has been made in either Hymns or Tunes, except that, in the case of some of the *old and familiar tunes*, the harmonies have been modified in accordance with popular taste, and the quarter note has been substituted for the half note. The new edition can be used with the old, if desired.

The attention of the Churches is called to the pamphlet of "SPECIMEN PAGES," just issued. The *style of the type*, both of the letter-press and of the music, it is confidently affirmed, is superior to that of any other similar book, now in circulation, or in the process of publication, for the beauty of its finish, and for its clearness and distinctness. Nothing like it, in these respects, is to be found in the country.

As to the general merits of the work public opinion has pronounced a most favorable verdict. Testimonials the most flattering have been so freely and so abundantly given of its superior merits, by the very best critics, as well as by hundreds of Churches that have tested its great excellency, as to supersede the necessity of any further commendations. The Publishers submit it as every way a model-book.

THE CHURCH HYMN-BOOK, WITH TUNES, contains 1,469 Hymns, more than 400 Tunes; 32 Doxologies, 25 Chants, and yet is less in price than any other competing volume.

A sample copy, for examination, will be sent, post-paid, to any clergyman wishing to examine the same with a view to introduction, with privilege of returning it if not adopted.

Churches adopting it will receive a pulpit copy, in extra binding, free of charge.

An edition is issued of the Hymns without the Music.

THE PSALTER, or BOOK OF PSALMS, arranged for responsive readings, is also bound with the book, or furnished in separate binding, as may be desired, at slight additional cost. The *Presbyterian Directory* for Public Worship is supplied in like manner when wanted.

Churches contemplating the adoption of a new Hymn-Book will do well carefully to examine **"THE CHURCH HYMN-BOOK,"** and compare it with any other.

Price, $2.00. Special Terms for Introduction.

Ivison, Blakeman, Taylor & Co.

PUBLISHERS,

133 and 135 State Street, Chicago. 138 and 140 Grand Street, New York.

Recent Religious Books

PUBLISHED BY

HARPER & BROTHERS,

NEW YORK.

McCLINTOCK & STRONG'S Cyclopædia of Biblical, Theological and Ecclesiastical Literature. Five volumes now ready, from A to Mc. 8vo, Cloth, $5.00; Sheep, $6.00; Half Morocco, $7.50. (*Sold by Subscription.*)

THE EVANGELICAL ALLIANCE, 1873. History, Essays, Orations, &c. 8vo, Cloth, $6.00. (*Sold by Subscription.*)

DR. TYNG'S Office and Duty of a Christian Pastor. 12mo, Cloth, $1.25.

WINCHELL'S Doctrine of Evolution. 12 mo, Cloth, $1.00.

CHRISTLIEB on Modern Infidelity. 12 mo, Cloth, 75 cents.

PLUMER'S Pastoral Theology. 12mo, Cloth, $2.00.

DAWSON'S Earth and Man. Illustrations. 12mo, Cloth, $1.50.

HERVEY'S Christian Rhetoric. 8vo, Cloth, $3.50.

TRISTRAM'S Land of Moab. Illustrated. Crown 8vo, Cloth, $2.50.

TYERMAN'S Life of Wesley. Portraits. 3 vols., Crown 8vo, Cloth, $7.50.

TYERMAN'S Oxford Methodists. Portraits. Crown 8vo, Cloth, $2.50.

COOKMAN'S LIFE. Portrait. 12mo, Cloth, $2.00.

TALMAGE'S Sermon's. 3 vols., 12mo, Cloth, $2.00 each.

PALMER'S Desert of the Exodus. Illustrations and Maps. Crown 8vo, Cloth, $3.00.

PAINE'S Soul and Instinct as Distinguished from Materialism. 8vo, Cloth, $5.00.

BARNES'S NOTES: New Edition. Now ready: Gospels, 2 vols.; Acts, 1 vol.; Romans, 1 vol.; I. Corinthians, 1 vol.; II. Corinthians and Galatians, 1 vol.; Ephesians, Philippians and Colossians, 1 vol.; Thessalonians, Timothy, Titus and Philemon, 1 vol.; Hebrews, 1 vol.

SMILES'S History of the Huguenots. Crown 8vo, Cloth, $2.00.

SMILES'S Huguenots in France after the Revocation. Crown 8vo, Cloth, $2.00.

REVISION of the English Version of the New Testament. By ELLICOTT, TRENCH, LIGHTFOOT & SCHAFF. Crown 8vo, Cloth, $3.00.

MACGREGOR'S Rob Roy on the Jordan. Illustrated. Crown 8vo, Cloth, $2.50.

☞HARPER & BROTHERS *will send either of the above works by mail, postage prepaid, to any part of the United States, on receipt of the price.*

☞HARPER'S NEW CATALOGUE WITH ANALYTIC INDEX, *mailed free on receipt of Ten Cents in postage stamps.*

☞ *TRUTHS FOR TO-DAY is referred to and quoted from in the preceding pages over seventy-five times.*

TRUTHS FOR TO-DAY,

SPOKEN IN THE PAST WINTER,

BY DAVID SWING,

Pastor Fourth Presbyterian Church, Chicago.

The *only authorized volume of Prof. Swing's Sermons*, edited by himself, and containing those sermons which he thought worthy of preservation in permanent form.

A Beautiful 12mo. Volume. Tinted Paper. Price, $1.50.

FOURTH THOUSAND NOW READY.

Mailed free on receipt of price.

We also offer the choicest and largest collection in the West of the Masterpieces of Literature,—"THE GOOD BOOKS OF TO-DAY, AND THE GOOD ONES OF ALL TIME," in all varieties of editions and bindings, from the most modest and inexpensive to the finest productions of the English presses and binderies.

OUR SPECIALTIES ARE:

I. Every School and College Text Book used in the West.

II. The best books and best editions for public and private libraries.

III. Splendid art works for the drawing room, or for wedding and anniversary presents.

IV. Rare and curious editions of old and scarce works.

V. The direct importation of fine and unusual foreign books.

VI. The Choicest English, French and American Papers, Envelopes and Stationery, for Ladies and Gentlemen.

Teachers, Professors, School Officers, Clergymen and Literary Men,

Will be cordially welcomed to our new and beautiful store, and are invited to make it their resort while in Chicago.

JANSEN, McCLURG & CO.

Importers, Booksellers and Stationers,

117 & 119 STATE STREET, CHICAGO.

UNIVERSITY OF ILLINOIS-URBANA
262.9P92T C003
THE TRIAL OF THE REV. DAVID SWING CHGO
3 0112 025275816